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MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

REPORT OF WILLIAM W. ROCKHILL, LATE COMMISSIONER TO CHINA, WITH ACCCOMPANYING DOCUMENTS.

DECEMBER 12, 1901.—Read; referred to the Committee on Foreign Relations and ordered to be printed.

To the Senate and House of Representatives:

I transmit a report from the Hon. William W. Rockhill, late commissioner to China, of the results of his mission to that country, with accompanying documents.

THEODORE ROOSEVELT.

WHITE HOUSE,
Washington, December 11, 1901.

The PRESIDENT:

I have the honor to submit to you, with a view of transmittal to the Congress, if it meet your approval, a report from the Hon. William W. Rockhill, late commissioner to China, of the results of his mission to that country, with accompanying documents.

Respectfully submitted.

JOHN HAY.

DEPARTMENT OF STATE,
Washington, December 5, 1901.

DEPARTMENT OF STATE,
Washington, November 30, 1901.

SIR: In July, 1900, when the antiforeign uprising in China had cut the Government off from communication with our minister at Peking, and it was deemed of great importance that the general condition of affairs in that country should be promptly reported on and the bearing of events on American interests exactly determined, the President was pleased to appoint me commissioner of the United States to China.

CORNELL
UNIVERSITY

I reached Shanghai on the 29th of August and proceeded at once to Peking, where I discussed with our minister, Mr. Conger, the situation and the steps he proposed taking to hasten the restoration of order and for the protection of American persons and property, and I was pleased to be able to report to you that I fully concurred with him in all the measures he had been and was advocating.

After a brief stay at Peking I returned to Shanghai and then visited the Viceroy Liu K'un-yi at Nanking, and later the Viceroy Chang Chih-tung at Wu-chang, for the purpose of thanking them, in the name of the United States, for the perfect manner in which they and the other viceroys had maintained peace, and the friendly spirit they and their provincial administrations were showing foreigners during these troublesome times. I wished also to ascertain their views on the question of the restoration of order and the return of His Majesty the Emperor to Peking. The courteous and friendly receptions given me by the two viceroys, and the personal relations which I was thus so fortunate as to establish, and which were kept up during the remainder of my mission in China, did not a little, I think, in the interest of peace and the common benefit of the two countries.

After returning to Shanghai and conferring with the various American commercial and missionary bodies there, I left again for Peking, where you had directed me to proceed to act as counselor and adviser of the American minister in the negotiations then begun. I discharged this duty, and, I am pleased to say, always in perfect harmony with our minister, until the 23d of February of this year, when Mr. Conger, having obtained from you leave of absence with permission to visit the United States, I was appointed by the President, under telegraphic instructions from you, plenipotentiary to continue the negotiations on the part of the United States. In this capacity I acted until September 7, when the Final Protocol, embodying the results of the negotiations between the various powers and China, was signed. I then left for the United States and arrived at Washington on October 23.

The different phases of the negotiations between the powers and China, which extended over a period of about fourteen months, are shown in detail in the correspondence of Mr. Conger and myself with the Department and also in the printed minutes of the various meetings of the conference at Peking. With these before you I shall not go over these questions again. I shall confine myself to summarizing the work of the United States in the conference.

The circular note which you telegraphed on July 3, 1900, to our embassies in Europe and to our missions in Vienna, Brussels, Madrid, Tokyo, The Hague, and Lisbon defined the policy then already adopted by the United States in the settlement of affairs in China and from which they never departed. Bearing these instructions always in mind, the task of the agents of our Government in Peking was a comparatively easy one. Throughout the negotiations our object was to use the influence of our Government in the interest of justice and moderation and in a spirit of equal friendship to the powers negotiating jointly with us and the Chinese nation.

The twelve demands made by the powers on China, the accomplishment of which was deemed necessary for the restoration of normal relations with that country and which were embodied in the joint note of December 22, 1900, may be classified under four principal heads: (1) Adequate punishment for the authors of and those guilty of actual

participation in the antiforeign massacres and riots; (2) the adoption of measures necessary to prevent their recurrence; (3) the indemnification for losses sustained by States and foreigners through these riots; and (4) the improvement of our relations, both official and commercial, with the Chinese Government and with China generally.

As regards the punishment of the responsible authors and actual perpetrators of the antiforeign outrages, the Government of the United States, while insisting that all such should be held to the utmost accountability, declined to determine in every case the nature of the punishment to be inflicted, and maintained that the Chinese Government itself should in all cases carry them out.

As soon as the chief culprits had been punished, considering the terrible losses in life and property sustained by China, not only through the Boxers and their adherents, but by the destruction of Tientsin, Peking, and the military occupation of a large portion of the Province of Chih-li, the United States threw the weight of its influence on the side of moderation and the prevention of further bloodshed. To this it was mainly due that the long lists of proscription, which had been prepared by the representatives of the powers, of Chinese in the provinces charged with participation in the massacres or riots, were repeatedly revised before presentation to the Chinese Government. The demands for capital punishment were finally reduced from ten to four and many names erroneously or on insufficient evidence placed on the lists were removed, or lighter forms of punishment asked for numbers of those left on them.

While seeking with the other powers the best means to prevent the recurrence of such troubles and to guard the future American residents in Peking from such dangers as they had passed through, the United States did not lend its support to any plan which contemplated either the prolonged occupation by foreign troops of any portions or points in China or the erection of an international fort in the city of Peking from which to carry on friendly relations with the Chinese Government. Our policy has always been in favor of a strong, independent, and responsible Chinese Government, which can and will be held accountable for the maintenance of order and the protection of our citizens and their rights under the treaties. Throughout the negotiations we strictly adhered to this just principle, with results which have proved beneficial to all.

As regards the third point of the negotiations, the equitable indemnification of the various states for the losses and expenses incurred by them in China and in sending expeditionary forces to relieve the legations and foreign residents at Peking and restore order, and also the securing of indemnities to societies, companies, and individuals for their private losses through the anti-foreign riots, the Government of the United States advocated that the sum total of these indemnities should not exceed a reasonable amount, well within the power of China to pay. After careful inquiry you reached the conclusion that with her present resources and liabilities, China could not pay as indemnities to the powers more than two hundred millions of dollars, and that the exaction of any larger amount would not only entail permanent financial embarrassment on the country, but might possibly result in either international financial control or even loss of territory. The representative of the United States was instructed accordingly, and he was further told that in the opinion of our Government the amount

should be asked of China by the powers jointly, without detail or explanation, and afterwards divided among them, according to their losses and disbursements. You also stated that every facility of payment should be accorded China, and that the debt should be paid by bonds issued at par and bearing 3 per cent interest and running for thirty or forty years.

Though it became necessary, after protracted discussion in the conference, to accept the proposition of the other powers to demand of China the sum total of their losses and disbursements, reaching the enormous sum of $333,000,000, our insistance in pressing for a much lower sum, and the weight of the arguments adduced in favor of such a policy, resulted in closing the indemnities at the above lump sum, when they bid fair to go on swelling indefinitely. This, and the acceptance of your suggestion that the indemnities be paid in bonds issued at par and bearing a low rate of interest (4 per cent was finally agreed upon) and running for forty years, resulted in saving a vast sum to China, hastened the evacuation of the country by the expeditionary forces and the restoration of order and of normal relations with the Chinese Government.

In connection with the question of the indemnity, I should particularly mention that, it having been proved necessary to the powers in their search for revenues applicable to the service of the indemnity debt that the existing nominal 5 per cent ad valorem customs tariff on foreign imports should be made an effective 5 per cent ad valorem, the United States, mindful of the furtherance of lawful commerce in China in the interests of the world, and believing that no opportunity should be lost to secure to foreign trade all the facilities its vast importance entitles it to, and that any additional tax on trade should be met by commercial compensations on the part of China of equal value, declined to consent to the above increase of the customs tariff on imports unless (1) all the treaty powers and China agreed to cooperate in the long desired improvement of the water approaches to Shanghai and Tientsin, and (2) that specific duties should be substituted to the present ad valorem ones in the tariff on foreign imports. Both of these conditions were ultimately agreed upon.

No divergence of views existed fortunately between the representatives of the powers on the question of improving the channels of direct communication between them and the Chinese Government. The long vexed question of the ceremonial to be observed in the public audiences granted by the Emperor of China to foreign representatives was finally settled by the plenipotentiaries on lines perfectly satisfactory to all parties to the negotiations. The Tsungli Yamen, or bureau of foreign affairs, which the experience of forty years had shown Chinese and foreigners alike was unwieldly and incapable of discharging the duties devolving upon it, was altered in the way suggested by the conference, changed into a responsible ministry of foreign affairs, and organized on lines similar to those adopted in every other country of the world.

Such, in brief, has been the part played by the United States in the conference of Peking. While we maintained complete independence, we were able to act harmoniously in the concert of powers, the existence of which was so essential to a prompt and peaceful settlement of the situation, we retained the friendship of all the negotiating powers, exerted a salutary influence in the cause of moderation, humanity, and justice, secured adequate reparation for wrongs done our citizens,

guaranties for their future protection, and labored successfully in the interests of the whole world in the cause of equal and impartial trade with all parts of the Chinese Empire.

I have the honor to be, sir, your obedient servant,

W. W. ROCKHILL,
Commissioner of the United States to China.

Hon. JOHN HAY,
Secretary of State, Washington.

NEGOTIATIONS OF THE POWERS WITH CHINA.

List of papers.

Mr. Hay to the United States representative in Berlin, Brussels, London, Lisbon, Madrid, Paris, Rome, St. Petersburg, The Hague, and Tokyo, July 3, 1900. Telegram.
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The President to the Emperor of China, July 23, 1900.
Mr. Hay to Mr. Rockhill, No. 2, July 27, 1900.
Mr. Wu Tingfang to Mr. Hay, August 12, 1900. Memorandum.
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Mr. Wu Tingfang to Mr. Adee, August 21, 1900. Memorandum.
Mr. Hay to Mr. Wu Tingfang, August 22, 1900. Memorandum.
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Mr. Adee to Mr. de Wollant, August 23, 1900.
Mr. Adee to Mr. de Wollant, August 25, 1900.
Mr. Adee to United States representatives at Berlin, Paris, London, Rome, Tokyo, St. Petersburg, and Vienna, August 24, 1900. Circular telegram.
Mr. Adee to United States representatives at Berlin, Paris, London, Rome, Tokyo, St. Petersburg, and Vienna, August 29, 1900. Circular telegram.
Mr. Wu Tingfang to Mr. Hill, September 9, 1900. Memorandum.
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Mr. Hill to Baron Sternburg, September 21, 1900.
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Mr. Hay to Mr. Thiébaut, October 10, 1900.
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The President to the Chinese Emperor, October 18, 1900.
Mr. Thiébaut to Mr. Hay, October 17, 1900. Memorandum.
Secretary of State to Mr. Thiébaut, October 19, 1900. Memorandum.
Lord Pauncefote to Mr. Hay, No. 315, October 23, 1900.
Mr. Hay to Lord Pauncefote, No. 1697, October 29, 1900.
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Mr. Conger to Mr. Hay, No. 413, September 16, 1900.
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Mr. Rockhill to Mr. Hay, No. 22, November 16, 1900.
Mr. Hill to Mr. Rockhill, No. 16, January 11, 1901.
Mr. Conger to Mr. Hay, No. 451, November 16, 1900.
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Mr. Conger to Mr. Hay, No. 552, February 28, 1901.
Mr. Rockhill to Mr. Hay, No. 30, February 26, 1901.
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Mr. Hay to Mr. Rockhill, No. 21, April 18, 1901.
Mr. Rockhill to Mr. Hay, No. 32, March 2, 1901.
Mr. Conger to Mr. Hay, No. 558, March 4, 1901.
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Mr. Rockhill to Mr. Hay, No. 37, March 8, 1901.
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Mr. Rockhill to Mr. Hay, No. 45, March 20, 1901.
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Mr. Rockhill to Mr. Hay, No. 59, April 11, 1901.
Mr. Rockhill to Mr. Hay, No. 60, April 11, 1901.
Mr. Rockhill to Mr. Hay, No. 64, April 15, 1901.
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Mr. Rockhill to Mr. Hay, No. 70, April 17, 1901.
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Mr. Rockhill to Mr. Hay, No. 120, June 19, 1901.
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Mr. Rockhill to Mr. Hay, No. 135, July 18, 1901.
Mr. Rockhill to Mr. Hay, No. 139, July 23, 1901.
Mr. Rockhill to Mr. Hay, No. 140, July 25, 1901.
Mr. Rockhill to Mr. Hay, No. 141, July 25, 1901.
Mr. Rockhill to Mr. Hay, No. 142, July 26, 1901.
Mr. Rockhill to Mr. Hay, No. 143, July 27, 1901.
Mr. Rockhill to Mr. Hay, No. 144, July 27, 1901.
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Mr. Rockhill to Mr. Hay, No. 149, August 8, 1901.
Mr. Rockhill to Mr. Hay, No. 150, August 8, 1901.
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Mr. Rockhill to Mr. Hay, No. 154, August 12, 1901.
Mr. Rockhill to Mr. Hay, No. 155, August 19, 1901.
Mr. Rockhill to Mr. Hay, No. 156, August 29, 1901.
Mr. Rockhill to Mr. Hay, No. 157, August 29, 1901.
Minutes of the third conference of the representatives of the powers with the Chinese plenipotentiaries, September 7, 1901.
Final protocol (French text). [Signed September 7, 1901.]
Final protocol with 19 annexes (translation). [Signed September 7, 1901.]
Mr. Conger to Mr. Hay, No. 776, October 14, 1901.

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[August 26, 1900, to September 10, 1901.]

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Mr. Conger to Secretary of State, September 12, 1900. Telegram.
Mr. Hill to Mr. Conger, September 22, 1900. Telegram.
Mr. Conger to Secretary of State, September 27, 1900. Telegram.
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Mr. Conger to Mr. Hay, February 24, 1901. Telegram.
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Mr. Hay to Mr. Rockhill, March 1, 1901. Telegram.
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Mr. Rochhill to Mr. Hay, March 12, 1901. Telegram.
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Mr. Rockhill to Mr. Hay, May 25, 1901. Telegram.
Mr. Rockhill to Mr. Hay, May 29, 1901. Telegram.
Mr. Hay to Mr. Rockhill, May 28, 1901. Telegram.
Mr. Rockhill to Mr. Hay, June 1, 1901. Telegram.
Mr. Rockhill to Mr. Hay, June 8, 1901. Telegram.
Mr. Hay to Mr. Rockhill, June 8, 1901. Telegram.
Mr. Rockhill to Mr. Hay, June 11, 1901. Telegram.
Mr. Rockhill to Mr. Hay, June 11, 1901. Telegram.
Mr. Hay to Mr. Rockhill, June 12, 1901. Telegram.
Mr. Rockhill to Mr. Hay, June 15, 1901. Telegram.
Mr. Rockhill to Mr. Hay, June 19, 1901. Telegram.
Mr. Hay to Mr. Rockhill, June 21, 1901. Telegram.
Mr. Rockhill to Mr. Hay, July 3, 1901. Telegram.
Mr. Rockhill to Mr. Hay, July 16, 1901. Telegram.
Mr. Rockhill to Mr. Hay, July 16, 1901. Telegram.
Mr. Rockhill to Mr. Hay, July 18, 1901. Telegram.
Mr. Hay to Mr. Rockhill, July 20, 1901. Telegram.
Mr. Rockkill to Mr. Hay, July 23, 1901. Telegram.
Mr. Hay to Mr. Rockhill, July 24, 1901. Telegram.
Mr. Rockhill to Mr. Hay, July 26, 1901. Telegram.
Mr. Rockhill to Mr. Hay, July 27, 1901. Telegram.
Mr. Rockhill to Mr. Hay, July 28, 1901. Telegram.
Mr. Hay to Mr. Rockhill, July 28, 1901. Telegram.
Mr. Rockhill to Mr. Hay, August 4, 1901. Telegram.
Mr. Hay to Mr. Rockhill, August 5, 1901. Telegram.
Mr. Rockhill to the United States consulate, Nankin, August 6, 1901. Telegram.
United States consul at Nankin to Mr. Rockhill, August 7, 1901. Telegram.
Mr. Rockhill to Mr. Hay, August 8, 1901. Telegram.
Mr. Rockhill to Mr. Hay, August 10, 1901. Telegram.
Mr. Rockhill to Mr. Hay, August 12, 1901. Telegram.
Mr. Hay to Mr. Rockhill, August 14, 1901. Telegram.
Mr. Rockhill to Mr. Hay, August 16, 1901. Telegram.
Mr. Rockhill to Mr. Hay, August 22, 1901. Telegram.
Mr. Rockhill to Mr. Hay, August 25, 1901. Telegram.
Mr. Adee to Mr. Rockhill, September 3, 1901. Telegram.
Mr. Rockhill to Secretary of State, September 3, 1901. Telegram.
Mr. Rockhill to Secretary of State, September 4, 1901. Telegram.
Mr. Rockhill to Secretary of State, September 6, 1901. Telegram.
Mr. Conger to Mr. Hay, September 10, 1901. Telegram.

NEGOTIATIONS OF THE POWERS WITH CHINA.

Circular note of July 3, 1900, to the powers cooperating in China, defining the purposes and policy of the United States.

[Circular telegram sent to the United States embassies in Berlin, Paris, London, Rome, and St Petersburg, and to the United States missions in Vienna, Brussels, Madrid, Tokyo, The Hague, and Lisbon.]

DEPARTMENT OF STATE,
Washington, July 3, 1900.

In this critical posture of affairs in China it is deemed appropriate to define the attitude of the United States as far as present circumstances permit this to be done. We adhere to the policy initiated by us in 1857 of peace with the Chinese nation, of furtherance of lawful commerce, and of protection of lives and property of our citizens by all means guaranteed under extraterritorial treaty rights and by the law of nations. If wrong be done to our citizens we propose to hold the responsible authors to the uttermost accountability. We regard the condition at Pekin as one of virtual anarchy, whereby power and responsibility are practically devolved upon the local provincial authorities. So long as they are not in overt collusion with rebellion and use their power to protect foreign life and property, we regard them as representing the Chinese people, with whom we seek to remain in peace and friendship. The purpose of the President is, as it has been heretofore, to act concurrently with the other powers; first, in opening up communication with Pekin and rescuing the American officials, missionaries, and other Americans who are in danger; secondly, in affording all possible protection everywhere in China to American life and property; thirdly, in guarding and protecting all legitimate American interests; and fourthly, in aiding to prevent a spread of the disorders to the other provinces of the Empire and a recurrence of such disasters. It is of course too early to forecast the means of attaining this last result; but the policy of the Government of the United States is to seek a solution which may bring about permanent safety and peace to China, preserve Chinese territorial and administrative entity, protect all rights guaranteed to friendly powers by treaty and international law, and safeguard for the world the principle of equal and impartial trade with all parts of the Chinese Empire.

You will communicate the purport of this instruction to the minister for foreign affairs.

HAY.

Translation of a cablegram received by Minister Wu on July 20, 1900, from the taotai of Shanghai, dated July 19, 1900.

Have received a telegram from Governor Yuan (of Shantung), dated 23d day of this moon (July 19), who, having received from the privy council (at Pekin) a dispatch embodying an Imperial letter to the Presi-

dent of the United States, has instructed me to transmit it to your excellency. The Imperial message is respectfully transmitted, as follows:

The Emperor of China to His Excellency the President of the United States, greeting:

China has long maintained friendly relations with the United States and is deeply conscious that the object of the United States is international commerce. Neither country entertains the least suspicion or distrust toward the other. Recent outbreaks of mutual antipathy between the people and Christian missions caused the foreign powers to view with unwarranted suspicion the position of the Imperial Government as favorable to the people and predjudicial to the missions, with the result that the Taku forts were attacked and captured. Consequently there has been clashing of forces with calamitous consequences. The situation has become more and more serious and critical. We have just received a telegraphic memorial from our envoy, Wu Tingfang, and it is highly gratifying to us to learn that the United States Government, having in view the friendly relations between the two countries, has taken a deep interest in the present situation. Now China, driven by the irresistible course of events, has unfortunately incurred well-nigh universal indignation. For settling the present difficulty, China places special reliance in the United States. We address this message to your excellency in all sincerity and candidness, with the hope that your excellency will devise measures and take the initiative in bringing about a concert of the powers for the restoration of order and peace. The favor of a kind reply is earnestly requested and awaited with the greatest anxiety.

KWANGHSU, *twenty-sixth year, sixth moon, 23d day* (*July 19, 1900*).

It is, therefore, my duty to transmit the above with the request that your excellency, in respectful obedience of Imperial wishes, will deliver the same to its high destination and favor me with a reply.

YU LIEN-YUEN, *Taotai at Shanghai.*

KWANG-HSU, *twenty-sixth year, sixth moon, 23d day* (*July 19, 1900*).

The President to the Emperor of China.

The President of the United States to the Emperor of China, greeting:

I have received Your Majesty's message of the 19th of July, and am glad to know that Your Majesty recognizes the fact that the Government and people of the United States desire of China nothing but what is just and equitable. The purpose for which we landed troops in China was the rescue of our legation from grave danger and the protection of the lives and property of Americans who were sojourning in China in the enjoyment of rights guaranteed them by treaty and by international law. The same purposes are publicly declared by all the powers which have landed military forces in Your Majesty's Empire.

I am to infer from Your Majesty's letter that the malefactors who have disturbed the peace of China, who have murdered the minister of Germany and a member of the Japanese legation, and who now hold besieged in Pekin those foreign diplomatists who still survive, have not only not received any favor or encouragement from Your Majesty, but are actually in rebellion against the Imperial authority. If this be the case, I most solemnly urge upon Your Majesty's Government to give public assurance whether the foreign ministers are alive, and if so, in what condition.

2. To put the diplomatic representatives of the powers in immediate and free communication with their respective Governments and to remove all danger to their lives and liberty.

3. To place the Imperial authorities of China in communication with the relief expedition, so that cooperation may be secured between

them for the liberation of the legations, the protection of foreigners, and the restoration of order.

If these objects are accomplished it is the belief of this Government that no obstacles will be found to exist on the part of the powers to an amicable settlement of all the questions arising out of the recent troubles, and the friendly good offices of this Government will, with the assent of the other powers, be cheerfully placed at Your Majesty's disposition for that purpose.

WILLIAM MCKINLEY.

JULY 23, 1900.

By the President:
JOHN HAY, *Secretary of State.*

Mr. Hay to Mr. Rockhill.

No. 2.] DEPARTMENT OF STATE,
Washington, July 27, 1900.

SIR: Though it is not possible at the present moment to lay down the precise lines on which you are to discharge the duties assigned to you as commissioner of the United States to China, as supplementing the general oral instructions previously given you at the Department, it seems pertinent to inform you that your special duty will be to promptly and fully inform the Department on all subjects coming to your knowledge bearing on the present general condition of affairs in China, and particularly on all points in any way affecting the interests of the United States.

As regards the policy of the United States in China, you will be guided by my instruction of July 3, and as supplementary thereto by my note to the Chinese minister in Washington under date of July 19, and the President's letter, dated July 23, to the Emperor of China.

Copies of these documents are herewith sent you.

I am, etc.,

JOHN HAY.

[Delivered to the Department of State by the Chinese minister, Mr. Wu Ting-fang, August 12, 1900, 10.15 a. m.]

An Imperial edict forwarded by the privy council at Pekin under date of the fourteenth day of the seventh moon (August 8) to Governor Yuan at Tsi-nan, Shantung, who transmitted it on the seventeenth day of the same moon (August 11) to the taotai at Shanghai, by whom it was retransmitted to Minister Wu, who received it on the night of the same day (August 11).

The Imperial edict, as transmitted by the privy council, is as follows:

In the present conflict between Chinese and foreigners there has been some misunderstanding on the part of foreign nations and also a want of proper management on the part of some of the local authorities. A clash of arms is followed by calamitous results and causes a rupture of friendly relations, which will ultimately do no good to the world. We hereby appoint Li Hung Chang as our envoy plenipotentiary, with instructions to propose at once, by telegraph, to the Governments of the several powers concerned for the immediate cessation of hostile demonstrations pending negotiations, which he is hereby authorized to conduct for our part, for the settlement of whatever questions may have to be dealt with. The questions are to be severally considered in a satisfactory manner and the result of the negotiations reported to us for our sanction. Respect this.

The above is respectfully copied for transmission on to Your Excellency, to be communicated to the Secretary of State for His Excellency's information.

NOTE.—Mr. Wu also informed the State Department that subsequent to the receipt of the foregoing edict he had received a cablegram from Earl Li Hung Chang notifying his appointment, as above, and asking Minister Wu to request of the United States the cessation of hostile demonstrations.

[Delivered to the Chinese minister, Mr. Wu Ting-fang, August 12, 1900, 4.30 p. m.]

Memorandum touching the Imperial edict of August 8 appointing Li Hung Chang envoy plenipotentiary to conduct negotiations on the part of China with the powers, and the request for a cessation of hostilities, pending negotiations, communicated to Mr. Adee by Mr. Wu on the 12th of August, 1900.

The Government of the United States learns with satisfaction of the appointment of Earl Li Hung Chang as envoy plenipotentiary to conduct negotiations with the powers, and will, on its part, enter upon such negotiations with a desire to continue the friendly relations so long existing between the two countries.

It is evident that there can be no general negotiation between China and the powers so long as the ministers of the powers and the persons under their protection remain in their present position of restraint and danger, and that the powers can not cease their efforts for the delivery of these representatives, to which they are constrained by the highest considerations of national honor, except under an arrangement adequate to accomplish a peaceable deliverance.

We are ready to enter into an agreement between the powers and the Chinese Government for a cessation of hostile demonstrations on condition that a sufficient body of the forces composing the relief expedition shall be permitted to enter Pekin unmolested and to escort the foreign ministers and residents back to Tientsin, this movement being provided for and secured by such arrangements and dispositions of troops as shall be considered satisfactory by the generals commanding the forces composing the relief expedition.

DEPARTMENT OF STATE,
Washington, August 12, 1900.

NOTE.—The foregoing reply to the communication of Minister Wu was telegraphed in full on the evening of August 12 to the representatives of the United States accredited to the several Governments cooperating for the relief of the besieged legations in Pekin, with instructions to communicate it to the respective Governments.

[Handed to Mr. Adee by Mr. Wu, August 20, 1900—10.15 a. m.]

Cablegram dated August 19 from Viceroy Li Hung Chang, was transmitted by the Chinese minister in London and received by Minister Wu on the night of the same day.

It was the declaration of all the ministers for foreign affairs of the great powers that the expedition of the allied troops was solely for the rescue of the ministers in Pekin. Now, the allied troops having

entered Pekin and found all the ministers safe, it seems proper that hostilities should at once cease and that negotiations should commence. I therefore request the United States Government to appoint an envoy with full powers or appoint the minister now in Pekin for the purpose, as he is necessarily acquainted with the affairs between Chinese and foreigners, and to inform me if the conference will take place in Pekin. After receipt of a definite reply, I will at once proceed to the north. Please request the Secretary of State to lay the matter before His Excellency the President. I await reply.

[Received at the Department of State, August 21, 1900—3.17 p. m.]

Cablegram from Viceroy Li Hung Chang, dated August 21, 1900, and received by Minister Wu on the same day.

The boxer rebels in Pekin having been dispersed, there will be positively no more fighting. Further military operations on the part of the powers are greatly to be deplored. Besides urging cessation of hostilities, please confer with Secretary of State upon subject of withdrawal of troops and appointment of plenipotentiary to negotiate settlement of all other questions so as to preserve amicable relations. I await early reply.

[Sent to the Chinese minister, August 22, 1900—1.30 p. m.]

Memorandum in response to the Chinese minister's communication of cablegrams from Viceroy Earl Li Hung Chang, dated August 19 and 21, proposing the immediate cessation of hostilities and the appointment of an envoy to conduct negotiations, received at the Department of State August 20 and 21, 1900.

While the condition set forth in the memorandum delivered to the Chinese minister August 12 has not been fulfilled, and the powers have been compelled to rescue their ministers by force of arms unaided by the Chinese Government, still this Government is ready to welcome any overtures for a truce, and invite the other powers to join, when security is established in the Chinese capital and the Chinese Government shows its ability and willingness to make on its part an effective suspension of hostilities there and elsewhere in China. When this is done—and we hope it will be done promptly—the United States will be prepared to appoint a representative to join with the representatives of the other similarly interested powers and of the authoritative and responsible Government of the Chinese Empire to attain the ends declared in our circular to the powers of July 3, 1900.

ALVEY A. ADEE,
Acting Secretary.

DEPARTMENT OF STATE,
Washington, August 22, 1900.

The Russian Chargé d'affaires to the Acting Secretary of State.

[Translation.]

CAPE MAY, *August 4–17, 1900.*

MR. ACTING SECRETARY: I have just received a communication from the Imperial Government informing me of the resolution of the admirals of the allied fleets interdicting the plenipotentiary of the Chinese Government, Li Hung Chang, from all communication with the Chinese authorities in the event of his arrival at Taku.

This resolution being inexplicable, in view of the fact that all the powers have recognized the utility of admitting his (Li Hung Chang's) services in the eventual negotiations for peace, and especially because it would be impossible for him to fulfill his mission in the character of Chinese plenipotentiary if this were done, it would be desirable that the interested Governments should give orders to countermand the above-mentioned decision.

Praying you, Mr. Acting Secretary, to be pleased to communicate to me the response of the Federal Government on this subject, I embrace this opportunity to renew to you the assurance of my most distinguished consideration.

G. DE WOLLANT.

The Acting Secretary of State to the Russian Chargé d'affaires.

DEPARTMENT OF STATE,
Washington, August 23, 1900.

SIR: I had the honor to receive in due course your note of the 4th–17th instant, acquainting me with a communication you had just received from the Imperial Government, informing you of "the resolution of the admirals of the allied fleets interdicting the plenipotentiary of the Chinese Government, Li Hung Chang, from all communication with the Chinese authorities in the event of his arrival at Taku." You add that—

> This resolution being inexplicable, in view of the fact that all the powers have recognized the utility of admitting his (Li Hung-chang's) services in the eventual negotiations for peace, and especially because it would be impossible for him to fulfill his mission in the character of Chinese plenipotentiary if this were done, it would be desirable that the interested Governments should give orders to countermand the above-mentioned decision.

No instructions in this regard having been sent to Admiral Remey, and no advices having been received from him on the subject, I caused inquiry to be made, and as the result thereof I now learn that no action has been taken in the conference of the admirals to interdict Li Hung-chang from communicating with the Chinese authorities from Taku. Such action was considered informally, but was not adopted. It was not favored by the American admiral.

Be pleased to accept, Mr. Chargé d'Affaires, the renewed assurance of my high consideration.

ALVEY A. ADEE,
Acting Secretary.

The Acting Secretary of State to the Russian Chargé d'affaires.

DEPARTMENT OF STATE,
Washington, August 25, 1900.

SIR: Referring to your note of August 4 (17), and to my reply thereto of the 23d instant, concerning a reported resolution of the admirals of the allied fleets at Taku to interdict the Chinese plenipotentiary, Li Hung Chang, from communication with the Chinese authorities in the event of his arrival at Taku, I have now the honor to inform you that a supplementary report, under date of yesterday, has been cabled by the United States naval commander in those waters.

Admiral Remey therein states that in a conference with the admirals held on that day (August 24) it was agreed that the Italian admiral should write to the dean of the foreign legations in Pekin "for instructions in case Li Hung Chang should arrive at Taku," and it was also agreed that, pending a reply from Pekin, Li Hung Chang should not be allowed to communicate "with shore Chinese authorities." Admiral Remey has dissented from the latter proposition. He further reports that a misunderstanding has existed concerning the action taken at a prior conference. He learns that the conference considered that the prohibition to which your note of the 4th (17th) relates had been agreed upon at a previous meeting, but that was not the American admiral's understanding. His objection, made at the time, was acknowledged and should have been noted with any mention of the proposition, but in the signed protocol of the meeting there was no formal note nor any allusion to the matter. At the meeting of August 24 Admiral Remey states that he would inform his Government of the misunderstanding, and he expects that the fact of his disapproval will have been notified by the other commanders to their respective Governments.

The views of the Government of the United States touching the action of the admirals at Taku have been communicated to the representatives of the United States in Berlin, Vienna, Paris, London, Rome, Tokyo, and St. Petersburgh for communication to the governments to which they are respectively accredited, so that the Russian Government is doubtless by this time advised of our attitude in the matter.

I inclose for your fuller information a copy of the telegram in question, which was sent on the evening of August 24.

The views of this Government have also been communicated to Admiral Remey.

Be pleased to accept, sir, the renewed assurances of my highest consideration.

ALVEY A. ADEE,
Acting Secretary.

Telegram sent to the representatives of the United States in Berlin, Vienna, Paris, London, Rome, Tokyo, and St. Petersburg.

DEPARTMENT OF STATE,
Washington, August 24, 1900.

The following note was received by us from the chargé of the Russian Government at this capital, August 17:

"I have just received a communication from the Imperial Government informing me of the resolution of the admirals of the allied fleets interdicting the plenipotentiary

of the Chinese Government, Li Hung chang, from all communication with the Chinese authorities in the event of his arrival at Taku.

"This resolution being inexplicable, in view of the fact that all the powers have recognized the utility of admitting his (Li Hung chang's) services, in the eventual negotiations for peace, and especially because it would be impossible for him to fulfill his mission in the character of Chinese plenipotentiary if this were done, it would be desirable that the interested governments should give orders to countermand the above-mentioned decision."

Inquiry of Admiral Remey, commanding our fleet at Taku, was first answered that no such resolution had been adopted. He now cables that the admirals have agreed to write the dean of the legations in Pekin for instructions in case Li Hung chang should arrive at Taku, and meantime not to allow him to communicate with Chinese shore authorities. Remey dissented from last proposition.

We take the same view expressed in the Russian note. In interests of peace and effective presentation of just demands of all the powers against China, it seems important that the Chinese plenipotentiary should be able to communicate both with his own Government and its military commanders, whose action will be necessary to any suspension of hostilities as required in my telegram to you of 22d. Chinese minister here is without powers or advices. Li Hung chang is prima facie authorized by imperial decree to negotiate, and is the only representative of responsible authority in China so far as we are advised. We have instructed our representative in China in the spirit of the Russian note.

Any misunderstanding or divergent action on this subject by representatives of the powers in China would be unfortunate, and we would be glad to learn from other powers if there are reasons not known to us which in their judgment should lead to a view different from that which we take.

You will communicate this to the minister for foreign affairs, inviting early response.

ADEE, *Acting.*

Telegraphic instruction sent to the representatives of the United States in Berlin, Vienna, Paris, London, Rome, Tokyo, and St. Petersburgh.

DEPARTMENT OF STATE,
Washington, August 29, 1900.

The Russian chargé yesterday afternoon made to me an oral statement respecting Russia's purposes in China, to the following effect:

That as already repeatedly declared, Russia has no designs of territorial acquisition in China; that, equally with other powers now operating there, Russia has sought safety of legation at Pekin and to help the Chinese Government to repress the troubles; that, incidentally to necessary defensive measures on Russian border, Russia has occupied Niuchwang for military purposes and, as soon as order is reestablished, will retire troops therefrom if action of other powers be no obstacle thereto; that the purpose for which the various governments have cooperated for relief of legations in Pekin has been accomplished; that, taking the position that, as the Chinese Government has left Pekin, there is no need for her representative to remain, Russia has directed Russian minister to retire with his official personnel from China; that the Russian troops will likewise be withdrawn; and that when the Government of China shall regain the reins of government and afford an authority with which the other powers can deal, and will express desire to enter in negotiations, the Russian Government will also name its representative. Holding these views and purposes, Russia expresses hope that the United States will share the same opinion.

To this declaration our reply has been made by the following memorandum:

Memorandum in response to the Russian chargé's oral communication made on August 28, 1900, to the Acting Secretary of State touching the purposes of Russia in China.

The Government of the United States receives with much satisfaction the reiterated statement that Russia has no designs of territorial acquisition in China, and that, equally with the other powers now operating in China, Russia has sought the safety of her legation in Pekin and to help the Chinese Government to repress the existing troubles. The same purposes have moved and will continue to control the Government of the United States, and the frank declarations of Russia in this regard are in accord with those made to the United States by the other powers. All the powers, therefore, having disclaimed any purpose to acquire any part of China, and now that adherence thereto has been renewed since relief has reached Pekin, it ought not to be difficult by concurrent action through negotiations to reach an amicable settlement with China by which the treaty rights of all the powers will be secured for the future, the open door assured, the interests and property of foreign citizens conserved, and full reparation made for wrongs and injuries suffered by them.

So far as we are advised, the greater part of China is at peace and earnestly desires to protect the life and property of all foreigners, and in several of the provinces active and successful efforts to suppress the Boxers have been taken by the viceroys, to whom we have extended encouragement through our consuls and naval officers. This present good relation should be promoted for the peace of China.

While we agree that the immediate object for which the military forces of the powers have been cooperating, viz, the relief of the ministers at Pekin, has been accomplished, there still remain the other purposes which all the powers have in common, which are referred to in the communication of the Russian chargé, and which were specifically enumerated in our note to the powers of July 3.

These are: To afford all possible protection everywhere in China to foreign life and property; to guard and protect all legitimate foreign interests; to aid in preventing the spread of the disorders to other provinces of the Empire and a recurrence of such disorders; and to seek a solution which may bring about permanent safety and peace to China, preserve Chinese territorial and administrative entity, protect all rights guaranteed by treaty and international law to friendly powers, and safeguard for the world the principle of equal and impartial trade with all parts of the Chinese Empire.

In our opinion these purposes could best be attained by the joint occupation of Pekin under a definite understanding between the powers until the Chinese Government shall have been reestablished and shall be in a position to enter into new treaties with adequate provisions for reparation and guaranties of future protection. With the establishment and recognition of such authority, the United States would wish to withdraw its military forces from Pekin and remit to the processes of peaceful negotiation our just demands.

We consider, however, that a continued occupation of Pekin would be ineffective to produce the desired result unless all the powers unite therein with entire harmony of purpose. Any power which determines to withdraw its troops from Pekin will necessarily proceed thereafter to protect its interests in China by its own method, and we think that this would make a general withdrawal expedient. As to the time and manner of withdrawal, we think that, in view of the imperfect knowledge of the military situation resulting from the interruptions of telegraphic communication, the several military commanders at Pekin should be instructed to confer and agree together upon the withdrawal as a concerted movement, as they agreed upon the advance.

The result of these considerations is that, unless there is such a general expression by the powers in favor of continued occupation as to modify the views expressed by the Government of Russia and lead to a general agreement for continued occupation, we shall give instructions to the commander of the American forces in China to withdraw our troops from Pekin after due conference with the other commanders as to the time and manner of withdrawal.

The Government of the United States is much gratified by the assurance given by Russia that the occupation of Niuchwang is for military purposes incidental to the military steps for the security of the Russian border provinces menaced by the Chinese, and that as soon as order shall be reestablished Russia will retire her troops from those places, if the action of the other powers be not an obstacle thereto. No obstacle in this regard can arise through any action of the United States, whose policy is fixed and has been repeatedly proclaimed.

ALVEY A. ADEE, *Acting Secretary.*

DEPARTMENT OF STATE,
Washington, August 29, 1900.

You will communicate the foregoing to the minister for foreign affairs and invite early consideration and response.

[Handed to Acting Secretary Hill on September 10 by the Chinese minister, Mr. Wu Ting-fang].

Cablegram from Earl Li Hung Chang, dated the 7th September, 1900, transmitted by the Chinese minister at St. Petersburg under date of the 9th September and received by Minister Wu on the last-named date.

I am in receipt of an imperial edict of the thirtieth day of the seventh month (August 24, 1900) transmitted by way of Paoting Fu. It is as follows:

Li Hung Chang, envoy plenipotentiary, is hereby vested with full discretionary powers, and he shall promptly deal with whatever questions may require attention. From this distance we will not control his actions. Let this edict be forwarded with extra expedition at the rate of 600 li per day (to Earl Li) for his information and guidance. Respect this.

[Handed to the Chinese minister, Mr. Wu, by Acting Secretary Hill, September 11, 1900.]

Memorandum.

The United States does not feel called upon to express any opinion at this time as to the sufficiency of Li Hung Chang's authority, but hopes it will transpire that his credentials are full and authoritative, not only for negotiation, but to enable him without further delay to give assurance that the life and property of Americans will henceforth be respected throughout the Chinese Empire.

DEPARTMENT OF STATE,
Washington, September 11, 1900.

[Handed to Acting Secretary Hill on September 11 by the Chinese minister, Mr. Wu.]

Cablegram from Earl Li Hung Chang, dated September 9, 1900, transmitted by the Chinese minister at London under date of September 10, and received by Minister Wu on the night of the last-named date.

I have just received a telegram, dated September 3, from governor of Shantung transmitting a dispatch addressed to me by the privy council from Ta-tung Fu (Shansi) on August 30.

The privy council to Li Hung Chang, envoy plenipotentiary, grand secretary of state and viceroy of Chihli.

On the third day of the eighth moon of Kwang-hsu, twenty-sixth year (August 27), the following imperial edict was issued:

"We hereby command Li Hung Chang, envoy plenipotentiary with full discretionary powers and grand secretary of state, to proceed at once by steam vessel to Pekin and there to associate himself with Prince Ching in discussing and dealing with all pending questions. Let there be no delay. Respect this."

The above has been communicated to me in obedience to the imperial will.

Another communication from the privy council states an edict has already been issued commanding Sir Robert Hart to confer with (the representatives of) the foreign nations for the loan of a steam vessel to convey Li Hung Chang without delay to Pekin, where he is to associate himself with Prince Ching in dealing with all pending questions.

There was also a copy of an edict for Li Hung Chang, which the inspector-general of customs (Sir Robert Hart) was directed to depute an official to deliver in person (to Earl Li). The documents referred to have been despatched by post, but on account of the roundabout method employed and fearing a mistake or failure might arise, the edicts are respectfully transcribed (as above). On receipt of the same, the Shantung government is requested to transmit them by telegraph to Envoy Li.

Having received imperial orders urging my speedy departure for the North, it behooves me to make arrangements to start on my journey soon. Please inform Secretary of State and request instructions be telegraphed to the United States commanders at Tientsin and Pekin to cooperate in affording me protection if required.

[Handed to the Chinese Minister, Mr. Wu, by Acting Secretary Hill, September 12, 1900.]

Memorandum.

In reply to the request of Earl Li that instructions be telegraphed to the United States commanders at Tientsin and Pekin to cooperate in affording him protection, if required, on his journey to Pekin, the Government of the United States, so far as its own forces are concerned, will be happy to facilitate in every proper way the journey of Earl Li to Pekin, and will so instruct its commanders.

DEPARTMENT OF STATE,
Washington, September 12, 1900.

[Handed to Mr. Adee by the Chinese Minister, Mr. Wu, September 17, 1900, 10.15 a. m.]

Cablegram from Prince Ching, dated (at Pekin) September 8, 1900, transmitted by the Chinese minister at St. Petersburg on the 16th instant to Minister Wu, who received it on the night of the same day.

Foreign troops having entered Pekin, and Their Majesties the Empress Dowager and the Emperor having gone westward on a tour, I have received an imperial edict appointing me envoy plenipotentiary with full discretionary powers, in conjunction with Grand Secretary Li Hung Chang, to negotiate peace. Please inform Secretary of State and request that, in view of the long friendly relations (existing between the two countries), instructions be telegraphed to the (United States) minister at Pekin to open negotiations in a harmonious way at an early date to the interest and gratification of all concerned.

[Handed to the Chinese Minister by the Acting Secretary of State, September 21, 1900, 3.45 p. m.]

Memorandum in response to Mr. Wu's communication, September 17, 1900, of a cablegram from Prince Ching, dated Pekin, September 8, 1900.

The Government of the United States accepts the plenipotentiary authority of Earl Li Hung Chang and Prince Ching as prima facie sufficient for the preliminary negotiations looking toward the return of the

Imperial Chinese Government and to the resumption of its authority at Pekin, and toward the negotiation of a complete settlement by the duly appointed plenipotentiaries of the powers and of China.

To these ends, the United States minister in Pekin will be authorized to enter into relations with Earl Li and Prince Ching as the immediate representatives of the Chinese Emperor.

DAVID J. HILL,
Acting Secretary.

DEPARTMENT OF STATE,
Washington, September 21, 1900.

Memorandum handed to Mr. Adee by the Russian Chargé d'affaires, Mr. de Wollant, September 17, 1900, 10.45 a. m.

[Translation.]

(1) Has the Federal Government the intention to transfer the residence of the legation from Pekin to Tientsin? This step has been recognized as practical and appropriate to the end, even by the powers which find it necessary to leave troops at Pekin.

(2) Are the full powers of Prince Ching and Li Hung Chang recognized as sufficient by the Federal Government?

(3) Is the Federal Government prepared to charge its representatives to enter without delay upon the preliminary negotiations with the plenipotentiaries of the Emperor of China?

Memorandum in reply to the Russian Chargé's memorandum dated September 17, 1900.

(1) The Government of the United States has not any present intention to withdraw its legation from Pekin.

(2) The Government of the United States accepts the plenipotentiary authority of Earl Li Hung Chang and Prince Ching as prima facie sufficient for the preliminary negotiations looking toward the return of the Imperial Chinese Government and to the resumption of its authority at Pekin, and toward the negotiation of a complete settlement by the duly appointed plenipotentiaries of the powers and of China.

(3) To these ends the United States minister in Pekin will be authorized to enter into relations with Earl Li and Prince Ching as the immediate representatives of the Chinese Emperor.

DEPARTMENT OF STATE,
Washington, September 21, 1900.

The Imperial German Chargé d'Affaires to the Secretary of State.

[Translation.]

IMPERIAL GERMAN EMBASSY,
Washington, September 18, 1900.

MR. SECRETARY: By direction of the Imperial Chancellor I have the honor to respectfully communicate to your excellency the following:

The Government of His Majesty the Emperor considers as a pre-

liminary condition for entering into diplomatic negotiations with the Chinese Government a surrender of such persons as are determined upon as being the first and real perpetrators of the crimes committed in Pekin against international law. The number of perpetrators who served as tools is too great; a wholesale execution would be averse to the civilized conscience. Furthermore, circumstances would not allow that even the group of leaders could be completely ascertained; but the few among them whose guilt is notorious should be surrendered and punished. The representatives of the powers in Pekin will be in a position to make or adduce in this investigation fully valid testimony. The number of those punished is of less importance than their character as principal instigators and leaders. The Government of His Majesty the Emperor believes that it can depend in this matter upon the concurrence of all the cabinets; for, indifference toward the idea of a just expiation would be equivalent to indifference toward a repetition of the crime.

The Government of His Majesty the Emperor therefore proposes to the interested cabinets that they request their representatives in Pekin to designate the principal Chinese personages whose guilt in the instigation or execution of the crimes is beyond a doubt.

A similar communication is forwarded to the other interested cabinets.

Requesting of your excellency a reply as soon as is practicable, I embrace this occasion to tender the assurance of my most distinguished consideration.

STERNBURG.

Acting Secretary Hill to the Imperial German Chargé d'Affaires.

DEPARTMENT OF STATE,
Washington, September 21, 1900.

SIR: In response to your inquiry of the 18th instant as to the attitude of the Government of the United States in regard to the exemplary punishment of the notable leaders in the crimes committed in Pekin against international law, I have the honor to make the following statement:

The Government of the United States has from the outset proclaimed its purpose to hold to the uttermost accountability the responsible authors of any wrongs done in China to citizens of the United States and their interests, as was stated in the Government's circular communication to the powers of July 3 last. These wrongs have been committed not alone in Pekin, but in many parts of the Empire, and their punishment is believed to be an essential element of any effective settlement which shall prevent a recurrence of such outrages and bring about permanent safety and peace in China. It is thought, however, that no punitive measures can be so effective by way of reparation for wrongs suffered and as deterrent examples for the future as the degradation and punishment of the responsible authors by the supreme Imperial authority itself; and it seems only just to China that she should be afforded in the first instance an opportunity to do this and thus rehabilitate herself before the world. Believing thus, and without abating in any wise its deliberate purpose to exact the fullest accountability

from the responsible authors of the wrongs we have suffered in China, the Government of the United States is not disposed, as a preliminary condition to entering into diplomatic negotiations with the Chinese Government, to join in demand that said Government surrender to the powers such persons as, according to the determination of the powers themselves, may be held to be the first and real perpetrators of those wrongs. On the other hand, this Government is disposed to hold that the punishment of the high responsible authors of these wrongs, not only in Pekin but throughout China, is essentially a condition to be embraced and provided for in the negotiations for a final settlement. It is the purpose of this Government, at the earliest practicable moment, to name its plenipotentiaries for negotiating a settlement with China, and in the meantime to authorize its minister in Pekin to enter forthwith into conference with the duly authorized representatives of the Chinese Government with a view to bringing about a preliminary agreement whereby the full exercise of the imperial power for the preservation of order and the protection of foreign life and property throughout China, pending final negotiations with the powers, shall be assured.

Accept, sir, the renewed assurances of my highest consideration.

DAVID J. HILL,
Acting Secretary.

Freiherr SPECK VON STERNBURG,
Washington.

Imperial edict of September 25, 1900.

The Secretary of State received on October 2, 1900, from the Chinese minister a memorandum informing him that a cablegram had been received from Director-General Sheng, at Shanghai, stating that by an Imperial edict issued on the 25th of September, Prince Chwang, Prince Yih, and Secondary Princes Tsai Lien and Tsai Ying are deprived of all their respective ranks and offices; that Prince Tuan is deprived of office and is handed over to the Imperial clan court, which shall consult and decide upon a severe penalty, and his salary is to be stopped; that Duke Tsai Lan and the President of the Censorate Ying Nien are handed over to the said board, who shall consult and decide upon a severe penalty; and that Kang Yi, assistant grand secretary and president of the civil board, and Chao Shu-Chiao, president of the board of punishments, are handed over to the board of censors, who shall consult and decide upon a penalty.

The Imperial German Chargé to the Secretary of State.

[Handed to the Secretary by the German chargé d'affaires, Baron von Sternburg, October 2, 1900.]

Sheng reports an Imperial edict mentioning that the punishment of various leaders has been ordered. The German Government considers this as the first step in the direction of peace and order in China, and begs to propose that the powers may instruct their diplomatic representatives to examine the following points and to express their opinions on them.

1. Is the list contained in the edict in regard to the persons to be punished satisfactory and correct?
2. Are the proposed punishments in accordance with the gravity of the crimes committed?
3. In what manner is the carrying out of these punishments to be controlled by the powers?

The Secretary of State to the Imperial German Chargé.

[Memorandum in response to the inquiries made of the Secretary of State, October 2, 1900, by the Imperial German chargé d'affaires, touching the Chinese Imperial edict in regard to the punishment of Prince Tuan and other high Chinese officials.]

The Chinese minister communicated to the Secretary of State, on the 2d instant, a telegram received by him from Director-General Sheng, conveying the purport of an Imperial edict, dated September 25, 1900, by which the degradation and punishment of Prince Tuan and other high Chinese officials is decreed.

The Government of the United States is disposed to regard this measure as a proof of the desire of the Imperial Chinese Government to satisfy the reasonable demands of the foreign powers for the injury and outrage which their legations and their nationals have suffered at the hands of evil-disposed persons in China; although it has been thought well, in view of the vagueness of the edict in regard to the punishment which some of the inculpated persons are to receive, to signify to the Chinese minister the President's view that it would be most regrettable if Prince Tuan, who appears from the concurring testimony of the legations in Pekin to have been one of the foremost in the proceedings complained of, should escape such full measure of exemplary punishment as the facts warrant, or if Kang Yi and Chao Shu-Chiao should receive other than their just deserts.

With a view to forming a judgment on these points, the United States minister in Pekin has been instructed to report whether the edict completely names the persons deserving chastisement; whether the punishments proposed accord with the gravity of the crimes committed; and in what manner the United States and the other powers are to be assured that satisfactory punishment is inflicted.

It is hoped that Mr. Conger's replies to these interrogatories will confirm the Government of the United States in the opinion which it now shares with the Imperial German Government that the edict in question is an important initial step in the direction of peace and order in China.

DEPARTMENT OF STATE,
Washington, October 3, 1900.

The French Chargé d'affaires to the Secretary of State.

[Handed to the Secretary of State by the French chargé d'affaires, Mr. Thiébaut, October 4, 1900.—Translation.]

EMBASSY OF THE FRENCH REPUBLIC,
Washington, October 4, 1900.

MR. SECRETARY OF STATE: By order of my Government, I have the honor to bring to your excellency's knowledge the following communication:

In sending their forces to China, the powers had as their first object

the rescue of their legations. Thanks to the united action and the valor of their troops, this end has been attained. The thing now to be done is to obtain from the Chinese Government, which has given to Prince Ching and Li Hung Chang full powers to negotiate and treat in its name, appropriate reparation for the past and substantial guaranties for the future.

Animated by the spirit which has inspired the declarations heretofore made by the several Governments, the Government of the Republic believes that it sums up their own sentiments in the following points, which it submits as bases of the negotiations to be entered upon immediately after the usual verification of the full powers:

First. The punishment of the principal guilty parties who may be designated by the representatives of the powers at Pekin;

Second. The continuance of the interdiction against the importation of arms;

Third. Equitable indemnities for the governments, corporations, and private individuals;

Fourth. The organization in Pekin of a permanent guard for the legations;

Fifth. The dismantling of the forts at Taku;

Sixth. The military occupation of two or three points on the road from Tientsin to Pekin, which road will thus always be open to the legations to pass to the sea or to the forces which may go from the sea to the capital.

If presented collectively by the representatives of the powers and backed up by the presence of the international troops, it seems to the Government of the Republic impossible that these conditions, so legitimate in themselves, should not speedily be accepted by the Chinese Government.

Be pleased to accept, Mr. Secretary of State, the renewed assurances of my highest consideration.

THIÉBAUT.

The Secretary of State to the French Chargé d'affaires.

[Sent to Mr. Thiébaut, October 10, 1900.]

MEMORANDUM.

The Government of the United States agrees with that of France in recognizing as the object to be obtained from the Government of China appropriate reparation for the past and substantial guaranties for the future.

The President is glad to perceive in the basis of negotiation put forward in the memorandum of October 4 the spirit that has animated the declarations heretofore made by all the powers interested, and would be pleased to see the negotiations begun immediately upon the usual verification of credentials.

It may be convenient to enumerate the clauses of the memorandum and to add some observations dictated by the attitude of the United States in the present circumstances.

1. The punishment of the guilty parties who may be designated by the representatives of the powers at Pekin.

The Chinese Government has already indicated its intention to pun-

ish a number of those responsible for the recent disorders. The representatives of the powers at Pekin may suggest additions to that list when negotiations are entered upon.

2. The continuance of the interdiction against the importation of arms.

It is not understood that this interdiction is to be permanent, and the duration of it and the details of its regulation seem a proper subject of discussion by the negotiators.

3. Equitable indemnities for the governments, corporations, and private individuals.

This is an object desired by all the powers. The Russian Government has suggested that in case of protracted divergence of views, this matter might be commended to the consideration of the International Court of Arbitration of The Hague. The President thinks this suggestion worthy the attention of the powers.

4. The organization in Pekin of a permanent guard for the legations.

The Government of the United States is unable to make any permanent engagement of this nature without the authorization of the legislative branch, but in the present emergency we have stationed in Pekin an adequate legation guard.

5. The dismantling of the forts at Taku.

The President reserves the expression of his opinion as to this measure pending the receipt of further information in regard to the situation in China.

6. The military occupation of two or three points on the road from Tientsin to Pekin.

The same observation which has been made in reference to No. 4 applies also to this proposition. The President is unable to commit the United States to a permanent participation in such occupation, but he thinks it desirable that the powers shall obtain from the Chinese Government the assurance of their right to guard their legations in Pekin and to have the means of unrestricted access to them whenever required.

The President believes that the Governments of France and the other powers will see in the reserves we have here made no obstacle to the initiation of negotiations on the lines suggested, and he hopes it will be found practicable to begin such negotiations at an early day.

DEPARTMENT OF STATE,
Washington, October 10, 1900.

[Handed to the President by Minister Wu, October 17, 1900.]

The following telegraphic Imperial letter, dated October 14, 1900, forwarded by the privy council from Tung-Kuan (in Shensi) and retransmitted from Shanghai by Director-General Sheng under date of October 16, has been received by Minister Wu:

The Emperor of the Ta Tsing Empire to His Excellency the President of the United States, greeting:

We are extremely grateful to Your Excellency for taking the initiative in the withdrawal of troops (from Pekin) and for consenting, in the interest of friendly relations, to use your kindly offices between China and the friendly powers who have been offended on account of the recent unexpected uprising in China.

We therefore especially delegate our envoy extraordinary and minister plenipo-

tentiary, Wu Ting-fang, to personally deliver this telegraphic letter to Your Excellency conveying our sincere expression of thanks.

We beg that Your Excellency, in the interest of peace and international good relations, will exert your friendly influence with other powers toward the complete effacement of all ill feeling and the speedy determination on their part to negotiate for a peaceful settlement. For this we shall feel unbounded gratitude toward Your Excellency, whose good offices we are now earnestly beseeching.

[Communicated to Minister Wu for transmission, October 18, 1900.]

WASHINGTON, *October 18, 1900.*

His Majesty Kwang Hsu, Emperor of China, greeting:

It has afforded me much pleasure to receive Your Imperial Majesty's telegraphic letter of October 14, which has been delivered by Your Majesty's minister in Washington.

I cordially share Your Majesty's wish that there may be a peaceful settlement of all questions between China and the powers whose interests and nationals have so grievously suffered wrong in Your Majesty's dominions, and that the outcome may be the complete effacement of ill feeling between them. The desire of this Government that such a settlement may be brought about speedily has been made known to all the powers, and I trust that negotiations may begin so soon as we and the other offended governments shall be effectively satisfied of Your Majesty's ability and power to treat with just sternness the principal offenders, who are doubly culpable, not alone toward the foreigners, but toward Your Majesty, under whose rule the purpose of China to dwell in concord with the world has hitherto found expression in the welcome and protection assured to strangers.

WILLIAM MCKINLEY.

The French Chargé d'affaires to the Secretary of State.

[Handed to the Secretary of State by the French chargé d'affaires, Mr. Thiébaut, October 17, 1900.—Translation.]

EMBASSY OF THE FRENCH REPUBLIC,
Washington, October 17, 1900.

The Government of the Republic has highly appreciated the response which the Government of the United States has made to its note of the 4th of October; it has been especially gratifying to it to observe the sentiments of sympathy for France which have evidently inspired that reply.

All the interested powers have adhered to the essential principle of the French note. In so far as concerns the points which have called forth comments on the part of certain cabinets, they could, it would seem, be discussed among the powers or between their diplomatic representatives at Pekin in the course of the negotiations and receive such modifications as might be judged necessary in order to more surely and speedily attain the common end.

The essential thing now is to show the Chinese Government, which has declared itself ready to negotiate, that the powers are animated by the same spirit; that they are decided to respect the integrity of China

and the independence of its Government, but that they are none the less resolved to obtain the satisfaction to which they have a right.

In this regard it would seem that if the proposition which has been accepted as the basis of negotiations were communicated to the Chinese plenipotentiaries by the ministers of the powers at Pekin, or in their name by their dean, this step would be of a nature to have a happy influence upon the determinations of the Emperor of China and of his Government.

It goes without saying that this collective step would in no wise interfere with the examination of the points in the French proposition to which the reservations made by certain governments relate.

The minister for foreign affairs would be particularly happy to learn that this is also the opinion of the President of the United States and of the honorable Secretary of State, and that they have thought it opportune to send to the minister of the United States in Pekin instructions in this sense.

The Secretary of State to the French Chargé d'affaires.

[Memorandum in response to the memorandum in regard to the bases and conduct of negotiations for a settlement of pending questions between the powers and China, delivered to the Secretary of State by the French chargé d'affaires October 17, 1900.]

The Government of the United States is gratified to learn that all the interested powers have adhered to the essential principle of the French note of October 4, and trusts that such reservations as they have suggested will, like those mentioned in the reply of the United States, prove no embarrassment to the progress of the negotiation, in the course of which they can be frankly discussed with a view to a common agreement.

Holding, as it does in accord with the French Government, that the essential thing now is to prove to the Chinese Government that the powers are ready to meet it in the path of peaceful negotiation, and that they are united in their repeatedly declared decision to respect the integrity of China and the independence of its Government, while equally united in the resolve to obtain rightful satisfaction for the great wrongs they and their nationals have suffered, this Government has instructed its minister in Pekin to concur in presenting to the Chinese plenipotentiaries the points upon which we are agreed as the initial step toward negotiations and toward the reestablishment of the effective power and authority of the Imperial Government.

The Government of the United States believes that the happy influence upon the determinations of the Chinese Emperor and of his Government which the Government of the French Republic anticipates as the result of the step would be still further induced if the powers were to include as part of their initial declaration a collective manifestation of their determination to preserve the territorial integrity and the administrative entirety of China, and to secure for the Chinese nation and for themselves the benefits of open and equal commercial intercourse between the Chinese Empire and the world at large.

DEPARTMENT OF STATE,
Washington, October 19, 1900.

AGREEMENT BETWEEN GERMANY AND GREAT BRITAIN IN REGARD TO THEIR MUTUAL POLICY IN CHINA, OCTOBER 16, 1900.

Lord Pauncefote to Mr. Hay.

No. 315.] BRITISH EMBASSY,
Newport, R. I., October 23, 1900.

SIR: In pursuance of instructions which I have received from Her Majesty's principal secretary of state for foreign affairs, I have the honor to communicate to you the text of an agreement between Great Britain and Germany relating to the present trouble in China, which was signed in London on the 16th instant by the Marquis of Salisbury and the German ambassador on behalf of their respective Governments, and to invite the acceptance by the United States of the principles recorded in that agreement.

I have, etc., PAUNCEFOTE.

TEXT OF AGREEMENT.

Her Britannic Majesty's Government and the Imperial German Government, being desirous to maintain their interests in China and their rights under existing treaties, have agreed to observe the following principles in regard to their mutual policy in China:

I. It is a matter of joint and permanent international interest that the ports on the rivers and littoral of China should remain free and open to trade and to every other legitimate form of economic activity for the nationals of all countries, without distinction, and the two Governments agree on their part to uphold the same for all Chinese territory so far as they can exercise influence.

II. Her Britannic Majesty's Government and the Imperial German Government will not on their part make use of the present complication to obtain for themselves any territorial advantages in Chinese dominions and will direct their policy toward maintaining undiminished the territorial conditions of the Chinese Empire.

III. In case of another power making use of the complications in China in order to obtain under any form whatever such territorial advantages, the two contracting parties reserve to themselves to come to a preliminary understanding as to the eventual steps to be taken for the protection of their own interests in China.

IV. The two Governments will communicate this agreement to the other powers interested, and especially to Austro-Hungary, France, Italy, Japan, Russia, and the United States of America, and will invite them to accept the principles recorded in the agreement.

[A similar communication, mutatis mutandis, was made October 20, 1900, to the Secretary of State by the Imperial German chargé d'affaires.]

Mr. Hay to Lord Pauncefote.

No. 1967.] DEPARTMENT OF STATE,
Washington, October 29, 1900.

EXCELLENCY: I have the honor to acknowledge the receipt of your note of the 23d of October, inclosing the text of an agreement between Great Britain and Germany relating to affairs in China which was signed in London on the 16th instant by the Marquis of Salisbury and the German ambassador on behalf of their respective Governments and inviting the acceptance by the United States of the principles recorded in that agreement.

These principles are—

I. It is a matter of joint and permanent international interest that the ports on the rivers and littoral of China should remain free and open to trade and to every other legitimate form of economic activity for the nationals of all countries without distinction, and the two Governments agree on their part to uphold the same for all Chinese territory so far as they can exercise influence.

II. Her Britannic Majesty's Government and the Imperial German Government will not on their part make use of the present complication to obtain for themselves any territorial advantages in Chinese dominions and will direct their policy toward maintaining undiminished the territorial condition of the Chinese Empire.

The United States have heretofore made known their adoption of both these principles. During the last year this Government invited the powers interested in China to join in an expression of views and purposes in the direction of impartial trade with that country and received satisfactory assurances to that effect from all of them. When the recent troubles were at their height, this Government, on the 3d of July, once more made an announcement of its policy regarding impartial trade and the integrity of the Chinese Empire, and had the gratification of learning that all the powers held similar views. And since that time the most gratifying harmony has existed among all the nations concerned as to the ends to be pursued, and there has been little divergence of opinion as to the details of the course to be followed.

It is therefore with much satisfaction that the President directs me to inform you of the full sympathy of this Government with those of Her Britannic Majesty and the German Emperor in the principles set forth in the clauses of the agreement above cited.

The third clause of the agreement provides—

III. In case of another power making use of the complications in China in order to obtain under any form whatever such territorial advantages, the two contracting parties reserve to themselves to come to a preliminary understanding as to the eventual steps to be taken for the protection of their own interests in China.

As this clause refers to a reciprocal arrangement between the two high contracting powers, the Government of the United States does not regard itself as called upon to express an opinion in respect to it.

I have, etc.,

JOHN HAY.

[A similar note, mutatis mutandis, was addressed on the same day by the Secretary of State to the Imperial German chargé d'affaires.]

Mr. Conger to Mr. Hay.

No. 408.] LEGATION OF THE UNITED STATES,
Pekin, China, September 10, 1900.

SIR: I have the honor to confirm, on the overleaf, my telegrams of the 4th and 6th instants,[1] and to say that Prince Ching called on me on the 6th and I returned his call to-day.

He looks badly and appears greatly worried. Says he is ashamed of his Government, but was himself powerless to prevent what has happened. It was understood that the visits were only friendly visits, and so no discussion of business was had. He said he was awaiting the arrival

[1] Where telegrams are referred to they will be found under the proper date in the telegraphic correspondence, pp. ——.

of Li Hung-chang, who with him had been appointed plenipotentaries together to settle affairs.

I inclose copy of communication from him, and reply by the dean of the diplomatic corps concerning their appointment.

As suggested in my telegram, it seems to me that, leaving Peking under military occupation, negotiations could be more speedily and satisfactorily conducted at Shanghai, or, better still, at Washington. The question is so large and so many of the great powers vitally interested therein that constant and quick communication between all is necessary. This can not be accomplished from here. The telegraph line is at present totally inadequate and is not likely to be sufficiently improved in the near future.

I have, etc., E. H. CONGER.

[Inclosure 1.—Translation.]

President of the Tsungli Yamen to Mr. de Cologan:

The grand council has communicated to me the imperial decree of the 3d of the 8th moon of Kuang Hsu: (August 27, 1900).

"We order Prince Ching to return immediately to the capital to treat of affairs with full powers. It is unnecessary for him to come to rejoin the court. As for the plenipotentiary, Li Hung-chang, he has now likewise received the order by decree to come promptly to Peking and discuss and treat regarding affairs in concert with Prince Ching." Respectfully received.

It is necessary that I address your excellency by this dispatch a respectful copy of this imperial order, and I pray you to transmit in turn the communication to the representatives of the powers.

I profit by the occasion to inform you that the seal with which I have sealed this dispatch is the seal of the Yellow Bordered Manchu Banner, of which I am commander in chief.

[Subinclosure.]

Reply to Prince Ching.

PEKING, *September 9, 1900.*

I have the honor to receive the note which your highness addressed to me on the 6th of this month, communicating to me that your highness had been named by imperial decree with full powers to treat of affairs, and that orders had been given to the plenipotentiary, Li Hung-chang, to come promptly to the capital to treat of affairs in concert with your highness. I have transmitted to my honorable colleagues the information contained in the note, of which I have the honor to acknowledge the receipt.

I beg you to accept, etc., M. DE COLOGAN.

Mr. Conger to Mr. Hay.

No. 411.] LEGATION OF THE UNITED STATES,
Peking, China, September 13, 1900.

SIR: I have the honor to append hereto translations of your telegram of the 30th ultimo sent through the United States minister at Tokyo and my telegram of the 12th instant.

Some of the Russian troops have already been withdrawn. The minister told me yesterday that he should leave to-day, and that most of their forces were going at once, but he has not gone and troops that were ordered to move this morning are still held here. * * *

The weakness of the Imperial Government becomes daily more apparent, and the possibility of restoration of peace and order in this province under Chinese authority still more remote. We have now had possession of Peking for four weeks, and the only move made by the Chinese Government toward a settlement is to send Prince Ching here with reputed full powers, but which have not been shown, and the statement that he is waiting for Li Hung-chang, who is to act with him. But a telegram received from Consul-General Goodnow of the 7th instant says, "Li Hung-chang will leave for the north in a week or so." There is not, therefore, much prospect of any early propositions from them. I repeat that I am sure they will be unable to offer any feasible plan, and that the foreign powers will be compelled to devise the plan and China will be compelled to accept it.

The negotiations necessary, therefore, are those between the powers, and these can be conducted almost anywhere better than here.

No visible effort has been made by the Chinese Government for a suspension of hostilities. "Boxers" and Chinese soldiers are still in possession of most of the cities and villages of this province, and persecutions of Christians continue.

It does not seem to me advisable for the general conference of the powers to await the restoration of Chinese authority in and about this capital. But in my judgment the withdrawal of all troops from Peking would be a great mistake. The Chinese people would doubt our strength, we would lose one of the most potent levers with which to move the Chinese Government to an acceptance of our terms, and the thousands of Chinese Christians in this vicinity would be immediately massacred.

I have, etc.,

E. H. CONGER.

Mr. Conger to Mr. Hay.

No. 413.] LEGATION OF THE UNITED STATES,
Peking, China, September 16, 1900.

SIR: A whole month has elapsed since the arrival of the "relief expedition" and the flight of the imperial court, and apparently no progress has been made toward reestablishment of Chinese authority here or negotiations for a settlement.

Prince Ching is still waiting the arrival of Li Hung-chang. Most of the foreign ministers are without instructions. At a meeting of the diplomatic corps yesterday it was suggested that if the Emperor and Empress Dowager could be induced to return to Peking negotiations might be greatly facilitated. All agreed that if they could be withdrawn from the influence of Prince Tuan and other pernicious advisers it would be better. Much time could also be saved, because if acts of Prince Ching and Li Hung-chang must be presented to the Throne for approval, it would take weeks to get them to Sianfu and returned.

* * * * * * *

It was agreed that each would write an informal note to Prince Ching suggesting the return of the Emperor and Empress Dowager, the Court, or the Emperor, as he pleased. I preferred to mention only the "Emperor," and have written Prince Ching accordingly, inclosing a copy herewith of the note sent him.

I have, etc.,

E. H. CONGER.

[Inclosure.—Informal.]

Mr. Conger to Prince Ching.

PEKING, *September 16, 1900.*

YOUR HIGHNESS: I have the honor to address your highness concerning the existing situation. Into the cause of that situation it is not necessary at this moment to inquire. It is sufficient to refer to the fact that in order to relieve the foreign legations from imminent peril a joint expedition was undertaken by various foreign powers, which has led to the withdrawal of the court and the present occupation of the capital.

The main object of this expedition was the relief of the legations, and as soon as that was accomplished the ministers showed their willingness to terminate hostilities by welcoming your highness back to Peking for the purpose of opening peace negotiations.

These negotiations seem to be delayed by the nonarrival of the grand secretary, Li Hung-chang. In the meantime I beg to point out to your highness that it is my personal opinion that permanent peace negotiations would be very much facilitated if the Emperor were also to return to the capital.

It is, as your highness must acknowledge, difficult to restore tranquillity to the country while the minds of the people are disturbed by uncertainty as to the future, and nothing would reassure them more than His Majesty's return. While he remains at a distance, surrounded by the same advisers as before, the prospect of a permanent settlement must remain doubtful, however successful your highness may be in arranging its terms, for it suggests both to foreign governments and to the people that there will be no change in the policy of the Throne toward foreign powers and their subjects in China.

I therefore venture to suggest to your highness the advisability of making known to His Majesty the views herein expressed, and I beg to add that there need be no apprehension that if he returns he will be treated otherwise than with all respect or subjected to any restraint.

I am sure that the treatment your highness has received since your return will support this assurance.

I have, etc., E. H. CONGER.

Mr. Conger to Mr. Hay.

No. 416.] LEGATION OF THE UNITED STATES,
Peking, China, September 20, 1900.

SIR: I have the honor to inclose herewith translation of Prince Ching's reply to my informal note of the 16th instant regarding the return of the Emperor to Peking, copy of which I transmitted in my No. 413 of the 16th instant.

I have, etc., E. H. CONGER.

[Inclosure—Translation.]

Prince Ching to Mr. Conger.

PEKING, *September 19, 1900.*

YOUR EXCELLENCY: On the 16th instant I had the honor to receive your excellency's note, in which you state that the main object of the expedition sent by the various foreign powers was the relief of the legations, and as soon as that was accomplished the ministers showed their willingness to terminate hostilities and open peace negotiations. Your excellency also pointed out that it is your personal opinion that permanent peace negotiations would be very much facilitated if the Emperor were to return to the capital; that the minds of the people are disturbed, and nothing would reassure them more than His Majesty's return. While he remains at a distance the prospect of a permanent settlement must remain doubtful, however successful I may be in arranging its terms, for it suggests that there will be no change in the policy of the Throne toward foreign powers and their subjects in China. Your excellency

therefore suggested the advisability of making known to His Majesty the views expressed in your note and to add that there need be no apprehension that if he returns he will be treated otherwise than with all respect.

In reply, I beg to observe that on account of the reckless manner in which disturbances have been caused by the Chinese banditti, which resulted in a revolution suddenly breaking out, the forces of the various foreign powers came to Peking to relieve the legations. I feel a deep sense of shame that this should have been found necessary.

Your excellency's note is full of peaceful sentiments. You say that the return of His Majesty will have the effect of reassuring the minds of the people. From this it is evident that your excellency is interested in what is good and right, and that you hold upright and noble views. Words are inadequate to express my gratitude and thanks for your excellency's kindly expressions.

I have, together with some of the high ministers of Peking, prepared a joint memorial to the Emperor requesting his return to Peking. I shall have a copy of your excellency's note made and send it to His Majesty, together with the other memorial, within a day.

The grand secretary, Li Hung-chang, has already left Shanghai for Tientsin and should be here in a few days. When the terms of peace have been determined upon and settled, (China) will not fail to see that they are wholly and sincerely acted upon. On no account will matters be attended to as heretofore, and your excellency need not be too anxious about this.

Cards, compliments, etc.,

Mr. Conger to Mr. Hay.

No. 419.] LEGATION OF THE UNITED STATES,
Peking, September 27, 1900.

SIR: I have the honor to confirm my telegrams of the 24th and 27th instants and to say that at this end of the line but little, if any, progress is being made toward a settlement of existing troubles.

Better order is being established in the city, and particularly in the portions under the jurisdiction of the Americans and Japanese; the Chinese are returning to their homes, opening their shops, etc., but each army is acting independently and controlling in its own way the section over which it has charge.

Outside the city the Chinese soldiers and Boxers are as active and hostile as ever. Scouts and reconnoitering parties are meeting them or being fired upon from ambush almost daily.

Foreign troops have been sent out in various directions from 5 to 30 miles and have met and punished them severely in several places, but they return again or others appear elsewhere.

On the 25th instant a note was received by the dean of the diplomatic corps from Prince Ching, copy of which I inclose, reciting the efforts of the ad interim viceroy of Chihli (I think the provincial treasurer, since executed by the Pao-ting punitive expedition) to exterminate the Boxers, but we have no evidence of the success of his efforts, and I apprehend they do not extend much beyond the issuance of orders and proclamations, to which little or no attention is paid. I also inclose copy of a note received by the dean of the diplomatic corps yesterday, transmitting copy of an Imperial decree appointing Jung Lu to assist in peace negotiations, and also ordering Prince Ching to communicate concerning negotiations with the Viceroys Liu Kun-yi of Nanking and Chang Chih-tung of Wuchang.

These viceroys are at their homes. Li Hung-chang is at Tientsin, Jung Lu is at Paoting-fu, and Prince Ching here. None of them has exhibited any powers, nor has there been any request made to start negotiations.

The Russian minister, with his whole legation staff, removed to Tientsin on the 29th. The French are to follow soon. The Germans have been ordered to go when the others do. The Japanese have expressed a willingness to go, so that there seems little prospect of beginning early negotiations here. There is considerable objection to accepting Jung Lu as a negotiator, because during the siege he was commander in chief of the Imperial troops, and soldiers belonging to his special corps were often in evidence in our immediate front. I am not sure, however, that it will be persisted in.

It has been my idea, and with which, upon conferring freely, as directed, with Mr. Rockhill, I find he agrees, that negotiations of the most preliminary character should be started here at once, or just as soon as the Chinese Government showed an earnest effort and a sincere desire to negotiate.

For instance, declaring the purpose of the foreign powers in landing troops in China, and the Chinese agreeing at once to suspend hostilities, restore order, and speedily arrange for just and reasonable indemnity to the several powers and for full reparation for all wrongs and injuries suffered by their citizens and subjects, and to guarantee that for the future the treaty and international rights of all the powers shall be secure and all interests and property of foreign citizens be adequately conserved, and mutually agreeing that plenipotentiaries shall be appointed to negotiate an equitable settlement of all the questions arising out of the recent troubles, and that as soon as such plenipotentiaries are duly named and qualified the foreign troops, except adequate legation guards, not to exceed an average of 1,000 for each legation, shall be retired to points near the coast pending the completion of negotiations, etc. This would make a start, would give a base for negotiations, which could then be conducted at some convenient place for the powers, and the presence of the allied forces at Peking and coast points would compel Chinese to keep faith, at least pending the completion of negotiations. If this can not be done, and done quickly, complications are likely to arise and possible differences among the powers result, which will compel separate settlements and the certain dissolution of the Empire.

The Germans are now insisting upon the surrender and punishment of the original and real instigators of the crisis in Peking * * * before any negotiations whatever are begun. This should by all means be accomplished, and probably can be, before final settlement, but if it is to be insisted on as preliminary to all, then no negotiations will be possible.

I have, etc., E. H. CONGER.

[Inclosure 1 in dispatch No. 419.]

Prince Ching to Mr. de Cologan.

The 29th the viceroy pro tempore of Chihli addressed to me the following communication:

"I have the honor to acknowledge receipt of the communication in which you say to me: 'The Boxers of Chihli and of Peking are within your jurisdiction, and you ought to disperse them without delay. If they dare to recommence the struggle, exterminate them with your soldiers in order to prevent new reprisals.' Mr. de Giers told me in an interview that in the neighborhood of Feng-tai, where they were repairing the railway, there were still Boxers armed with guns, who held the country, and requested me to have them disbanded or destroyed. It is necessary that you act with vigor.

"The beginning of hostilities between China and the powers [said the pro tempore viceroy of Chihli] had for its origin the existence of the Boxers. They are the cause of the ruin of Peking and of Tientsin and of the destruction of the inhabitants. My heart has been most grievously affected, and I burn with a desire to take and execute their chiefs and arrest their followers. But thinking of the means to accomplish this, I consider that the deserted soldiers are also scattered everywhere for the purpose of creating disorder, and that the first thing to do is to suppress them. I have not a sufficient military force for both tasks.

"I have commenced by presenting to the Throne the question of the Boxers and asking for an Imperial decree ordering all the great military chiefs to exterminate them. On the 10th instant the Taotai Tan Wen-huan, at the head of the Boxer chiefs Tsao Fu-tien, etc., nine in all, came to Tientsin to renew the troubles. I immediately sent some officers to arrest these Boxers. Eight were beheaded and their (heads) exposed. Tan Wen-huan escaped by a circuitous route. Three Boxers were taken alive. Che San, one of them, was examined, sentenced, and beheaded. As to Tan Wen-huan, I have requested from the Throne his degredation.

"Tsao Fu-tien is the chief of the Boxers of Shantung and was the instigator of the troubles at Tientsin, but the Tsao arrested at Tientsin is another individual. The real Tsao Fu-tien has fled with the Taotai Tan, but his crimes are innumerable and his capital condemnation is necessary for the public good. As to the other Boxers, they are the principal leaders in the subprefectures of Ching Hai and Yen Chiu (Chihli). I think it is necessary to decapitate them or they will continue to incite uprisings among the people.

"After the destruction of Peking and Tientsin a large number of Boxers took refuge in the subprefecture of Liang Hsiang, near Peking, and around Tientsin there are also some. If they are not immediately exterminated they will recommence their mischief. So I have sent some large forces to exterminate them. I have also sent a brigadier-general from Tientsin, Lin Che-piao, and a lieutenant colonel, Tan Tien-kuei, into the north of Chihli; a general of division, Lu Pen-yuen, in the region of Ho-chkiu-fu (near Tientsin), with order to confer with the general commanding at T'sang Chou, Nei Tsung-yi, and I have enjoined all the camps from south to north to unite their efforts, hoping thus to destroy the very root of the Boxers. Those which were at Tientsin exist no longer. This then is the present situation of the question of suppressing the Boxers.

"I have received the communication in which it is said that the European powers desire to send out troops to exterminate the Boxers in order to end the troubles and protect the merchants. Now the Boxers sometimes show themselves and then disperse. I fear that the arrival of foreign troops would frighten the people and cause them to flee en masse, while the Boxers would scatter on all sides. So China herself ought to accomplish the task of exterminating the Boxers in her own territory and of protecting the missionaries in order to hasten the conclusion of peace and the protection of commerce.

"In regard to the region of Feng-tai, where they are at present repairing the railway, and where there are still some Boxers, it is necessary to immediately exterminate them; but in these localities there are foreign troops. If the Chinese troops are sent there it is to be feared that conflicts will occur.

"I beg you to discuss this question with the foreign ministers. When European troops may be in the neighborhood they ought to permit the Chinese troops to pass for the purpose of going to fight the Boxers, each controlling their own soldiers and not impeded by the operations of the others. This will facilitate the suppression of the rioters, etc."

I (Prince Ching) consider that the viceroy pro tempore of Chihli offers some excellent ideas concerning the suppression of the Boxers, and that his letter is very sensible. I therefore submit it to the examination of your excellency, and beg you to communicate it to your colleagues.

[Inclosure 2 in dispatch No. 419.—Official dispatch.]

Prince Ching to Mr. de Cologan.

On September 9 I received an Imperial decree as follows:

"Li Hung-chang has at different times requested us by telegraph to designate one or more princes and ministers to treat of peace.

"I have named Prince Ching and ordered him to return to Peking and put himself in telegraphic communication for negotiations with Liu Kun-yi and Chang Chih-tung. I have besides charged Jung Lu to concert with them in negotiating; and in order to facilitate their relations Jung Lu has gone to Huo-lu. I order him to go

immediately to Paoting-fu and await there until the arrival at Tientsin of Li Hung-chang, etc. Respect this."

I hasten to make this known to you and beg you to communicate it to your colleagues.

Mr. Conger to Mr. Hay.

No. 423.] LEGATION OF THE UNITED STATES,
Peking, China, October 4, 1900.

SIR: I have the honor to confirm Department telegrams of September 22 and 29 and mine of October 1, 3, and 4. I also inclose copy of Imperial decree mentioned in my telegram of the 3d instant, and which has to-day been received by the dean of the diplomatic corps from Prince Ching. The punishments so far as named are grossly inadequate. Titles of nobility can easily be restored, and it is not uncommon for a Chinese officer to be degraded, and soon thereafter to be reinstated or promoted to a higher place. Governor Yü Hsien and General Tung Fu-hsiang, who, with the exception of Prince Tuan, were the worst of all, are not mentioned in the decree.

The question of punishment is most important, but, in my judgment, it may well be left until after preliminary negotiations are begun.

The arrival of Li Hung-chang is still awaited. More German troops are arriving, while American and Japanese are being withdrawn. The foreign ministers all seem to be waiting definite instructions, so no apparent progress is being made. However, I shall do whatever I properly may to facilitate the preliminary negotiations.

I have, etc.,

E. H. CONGER.

[Inclosure in dispatch No. 423.]

Imperial decree issued by the Emperor at Tai-Yuan Fu, Shansi.

On the 25th of September the grant secretariat received a decree as follows:

The trouble at the present time which broke out between China and foreign countries is a revolutionary movement quite out of the ordinary, and has been the cause of bringing calamity upon us. This was not in accordance with our wish, and it is all due to the princes and ministers of state having participated in and protected the "Boxer" banditti movement, thus embroiling us in trouble with friendly nations, causing injury to our state and our removing from the capital.

We certainly can not but acknowledge that we are at fault and reprove ourselves, the princes and ministers having without cause stirred up the present trouble. It is urgently necessary that they should have meted out to them various degrees of a severe form of punishment.

Let Prince Chuang, Prince I, Tsai Lien, and Tsai Ying (the last two princes of the third order) be deprived of their rank or title of nobility. Prince Tuan we treat (more) leniently, and he is hereby removed from all his official appointments and handed over to the Imperial clan court for the determination of a severe form of penalty; he is also deprived of his official salary. Duke Lan, and Ying Nien, president of the censorate, are ordered to be handed over to the yamen concerned for the determination of a severe form of punishment. K'ang I, assistant grand secretary and president of the board of civil office, and Chao Shu-chiao, president of the board of punishments, are to be handed over to the censorate and board of civil office for the determination of a penalty, in order to make an example of them.

We have been charged and intrusted by our ancestors with the performance of an important post. Our only hope is to serve and protect the public interests, regardless of others. The princes and ministers have not served the country as good statesmen, and they have themselves to blame. This is understood by the officials and people of the Empire.

Mr. Conger to Mr. Hay.

No. 427.] LEGATION OF THE UNITED STATES,
Peking, China, October 19, 1900.

SIR: I have the honor to confirm, on the overleaf, my telegram of the 16th instant, and to inclose copy of the convention submitted by Prince Ching and Earl Li Hung-chang, their note of transmission and my acknowledgment thereof. The dean of the diplomatic corps also received a brief note requesting the ministers to visit the plenipotentiaries to discuss the proposed terms of settlement on the 20th instant, or on any other day which might suit their convenience.

The German minister has not yet arrived; the new British minister is here, but has not yet taken charge; the French minister is ill, so there must still be some delay before commencing negotiations. In the meantime I hope to receive reply to my telegram of the 16th instant.

It will be useless for the foreign representatives to meet with Chinese plenipotentiaries for discussion until the powers have more fully agreed among themselves. I still think it best, as I have already written you, and which I understand is in accordance with the view of the Department, that a convention, the most preliminary possible, should be made, which shall include the restoration of order, the reestablishment of potential government, agreements to negotiate, how and when, guaranties of punishment, indemnities, and future protection of all foreign rights and interests; to be followed by due appointment of plenipotentiaries, who shall make, as nearly as can be done, a general final settlement, leaving as little as possible for separate negotiations between the separate powers. However, a purpose seems now to be indicated by most of the representatives here to let the very first negotiations include and settle as much as possible, and let separate negotiations with the various powers settle the rest.

* * * * * * *

The expeditions which left here and Tientsin for Pao-ting Fu some days since met with no opposition on the way, and the city was surrendered on their approach without firing a gun.

We have no information of their determination as to proceeding farther into the interior or returning, though it is reported that the French and German troops will remain there indefinitely, the former because of their and the Belgian interest in the railroad and the latter for what reason is not known.

Count von Waldersee is here, but further great international movements appear not to be necessary. Chinese soldiers, so says Li Hung-chang, have been ordered not to fire on or oppose the movements of the foreign armies in any way. This seems to be confirmed by the reports from the Pao-ting Fu expeditions, and indicates a practical suspension of hostilities in this province.

I have seen the French proposals and anxiously await your views thereon. Lord Salisbury telegraphed the British minister that all the Governments have agreed to them.

I have, etc.

E. H. CONGER.

[Inclosure 1.]

Prince Ching and Li Hung-chang to Mr. Conger.

His excellency Mr. CONGER:

Last spring the Boxer bandits made their appearance around Peking and caused the most unheard of calamities; they multiplied so fast that at last they besieged the foreign legations, and then the powers sent troops to Peking and the Court removed to a distant place. If anyone had predicted these events several months beforehand nobody would have believed him. But now the Court is aware that these misfortunes came through the protection given the Boxer banditti by princes and ministers; these delinquents, therefore, are to be severely punished according to Chinese law, as the proper tribunals may decide, and we, Prince Ching and Li Hung-chang, have been appointed plenipotentiaries with full powers to open negotiations for peace at once and settle this affair. But our negotiations will not be confined to one country, nor will the questions be the same with all the countries concerned; add to this the unusual nature of the case and it will be seen that the negotiations are beset with difficulties.

In view of this we think it will be better first to settle general questions with the combined powers in a special convention applying to all, and then proceed to negotiate a separate treaty in detail with each power as varying conditions will require. This done, the commercial treaties may then be settled if any changes are to be made in existing ones, and, finally, rules for application of treaty provisions in specified provinces may be made for the common benefit and lasting security of both high contracting parties.

We inclose herewith for your consideration and that of the diplomatic corps copy of draft of the preliminary convention we propose, and we ask that your excellency will telegraph our proposals to your Department of State, with the view to an early settlement of these matters.

Besides sending you this copy we have sent similar ones to your colleagues, and we now beg your excellency to consider this matter and favor us with a reply.

[Subinclosure.—Translation.]

His Majesty the Emperor, being oppressed with sorrow for the unexpected events of the past few months, has now appointed the writer, Prince Ching, to return to Peking to verbally express this sentiment, and has given to us, namely, Prince Ching and Minister Li Hung-chang, full plenipotentiary powers to settle all affairs that may come under discussion. As a preliminary we now submit the subjoined draft of articles proposed for a special convention between the combined powers and China:

ARTICLE 1. Laying siege to legations of foreign ministers is a high offense against one of the important principles of international law. No country can possibly tolerate such a thing. China acknowledges her great fault in this respect and promises that it shall never occur again.

ART. 2. China admits her liability to pay indemnity for the various losses sustained on this occasion, and the powers will each appoint officials to examine and present all claims for final consultation and settlement.

ART. 3. As to future trade and general international relations, each power should designate how these matters should be dealt with—whether the old treaties shall continue or new conventions be made slightly adding to the old treaties or canceling the old treaties and negotiating new ones. Any of these plans may be adopted, and when China has approved further special regulations can be made in each case as required.

ART. 4. This convention will be made by China with the combined powers to cover general principles which apply alike to all. This settled, the foreign ministers will remove the seals they caused to be placed in various parts of the tsungli yamen, and then the yamen ministers may go to the yamen and attend to business as usual. And, further, each power should arrange its own special affairs with China, so that separate treaties may be settled in due order. When the various items of indemnity are all arranged properly, or an understanding has been come to about them, then the powers will successively withdraw their troops.

ART. 5. The troops sent to China by the powers were for protection of the ministers and for no other purpose, so when negotiations begin for treaties of peace each power should first declare an armistice.

NOTE.—The "separate treaties" mentioned in article 4 are distinct from commercial treaties in article 3; each treaty will have its own procedure. The titles and precedence of plenipotentiaries for insertion on the first page of the convention can be arranged at a meeting.

[Inclosure 3.]

Mr. Conger to Prince Ching and Li Hung-chang.

PEKING, CHINA, *October 17, 1900.*

YOUR HIGHNESS AND YOUR EXCELLENCY: I have the honor to acknowledge the receipt of the note of your highness and your excellency, transmitting a copy of a proposed convention prepared by your highness and your excellency suggesting certain terms as a basis for a settlement of the recent troubles which made it necessary for foreign powers to bring troops into China.

I have, as you request, telegraphed the convention to my Government, and shall soon be ready to discuss it with you.

I avail, etc.,

E. H. CONGER.

Mr. Hay to Mr. Conger.

No. 289.] DEPARTMENT OF STATE,
Washington, October 23, 1901.

SIR: I inclose herewith for your information a copy of a letter from Mr. Thomas D. Holmes, stating that Major Siao, the Chinese military official of Kinhwa, province of Chenkiang, China, rescued him and his family and another family—eight persons in all—from certain death at the hands of a Chinese mob in that city, and that for this act of kindness Major Siao has been recalled to Hangchao and degraded.

The disgrace or other vindictive treatment of any official counseling friendly action toward foreigners or aiding them in their perilous straits is indirectly but none the less effectively a wrong to foreigners. A striking instance of this was seen in the decapitation of the two friendly members of the tsungli yamen and in the beheading of Chang Yen Hoon, formerly minister of China in Washington. Such acts not only deserve the severest censure, but persistence in their commission must inevitably impair if not destroy confidence in the protestations of the Chinese Government of its desire and purpose to punish the authors and abettors of antiforeign outrages.

I am, sir, etc.,

JOHN HAY.

[Inclosure in No. 289.]

WESTFIELD, UNION COUNTY, N. J., *October 18, 1900.*

MY DEAR SIR: I, T. D. Holmes, was, with my family, about seven years in the interior of China. Last July we were hopelessly surrounded by a Chinese mob and were about to be murdered, but Major Siao, the military official of the city Kinhwa, in Chenkiang province, where we were, rescued us at the risk of his own life and gave us a private bodyguard and escort of 20 soldiers to Shanghai, and lent us $100 besides. For this act of kindness I learn that he has been recalled to Hangchao and degraded. Can not our Government look into the matter and, through our minister, protest to the viceroy at Hangchao against such treatment? The man had been in that position for eighteen years, and was a good official.

I beg that this matter may be looked into, for if he had not helped us two families of eight persons would have been murdered.

I am, very truly, yours,

THOMAS D. HOLMES,
(Class 1890, U. of R.)

Dr. D. J. HILL.

Mr. Conger to Mr. Hay.

No. 429.] LEGATION OF THE UNITED STATES,
Peking, China, October 25, 1900.

SIR: I have the honor to confirm your telegram of the 19th and my reply of the 23d instant.

I have obtained from the French minister a copy of the French propositions, and think we can use them as a base to work from. The new British minister is to take charge to-morrow, when we hope to have a general conference.

My seventh suggestion does mean to put Peking or any other place that may possibly be selected as the capital of the Empire on the footing of a treaty port.

As yet none of the powers has appointed other than their ministers to negotiate, or sent advisers or counsel, and I should not like to be the only one for whom such support is deemed necessary. But, realizing the unusually difficult problem before me, and knowing Mr. Rockhill's familiarity with the views and policies of the Department of State and his experience in important special diplomatic work, I should like very much to have his assistance, and hope he has already been instructed to join me.

I have, etc., E. H. CONGER.

Mr. Conger to Mr. Hay.

No. 431.] LEGATION OF THE UNITED STATES,
Peking, China, October 27, 1900.

SIR: I have the honor to confirm my telegram of the 26th instant, and to say that on yesterday the several foreign ministers met to formally begin the discussion of terms of a settlement to be presented to the Chinese plenipotentiaries. Each had been instructed that all the powers had agreed substantially or in principle with the French propositions; and as the question of punishments was the first of these, it was the first taken up. After much discussion it was unanimously decided that the punishment of death should be demanded for 11 officials, whom, it is agreed by all foreign ministers and Chinese Government, are chiefly responsible for the crimes committed, to wit, Princes Tuan, Chuang and I (Pu Ching), Tsai Lien and Ysai Ying, Duke Lan, Tung Fu-hsiang, Yü Hsien, K'ang I, Chao Shu-chiao, Ying Nien. The manner of their death was much discussed, but it is believed that whatever we demanded, most of them would either voluntarily or by Imperial order commit suicide, so we simply say "death." I have to-day received a note from Li Hung-chang, which I inclose, informing me that Kang I had died and that Governor Yü Hsien had taken his own life by swallowing gold leaf.

The details that come to us of the horrible murder and mutilation of our missionaries in the interior are so frightfully shocking that less severe punishment can not be asked, and I believe the Chinese Government are so impressed by the terrible results of their efforts to get rid of the foreigners that they will readily accede to our demand unless the court is held in the power of those who are to be thus pun-

ished; but whether or no, they should be made to do it and to furnish ample and satisfactory proof of its accomplishment. Provision must also be made for adequate punishment for all provincial and local officials who may be proved to be in any way responsible for or accessory to the crimes.

I inclose copy of my correspondence with Prince Ching and Li Hung-chang regarding the rumored probability of removal of the Yangtze viceroys.

I have, etc., E. H. CONGER.

[Inclosure 1.]

Mr. Conger to Prince Ching and Li Hung-chang.

PEKING, CHINA, *October 26, 1900.*

YOUR HIGHNESS AND YOUR EXCELLENCY: Reports are reaching me from several sources that reactionary and disturbing officials are being appointed in the Yangtze provinces; that the power of the viceroys is being thus undermined, and the removal of the viceroys Liu Kun-i and Chang Chih-tung is contemplated. I can not believe this, for such appointments or removals would be acts most unfriendly toward the foreign powers who are now trying to negotiate a settlement of the troubles which China has unfortunately brought upon herself.

And yet the matter is so important that I am constrained to file a formal and energetic protest against such action, and respectfully request your highness and your excellency to communicate it to the Emperor by telegraph.

I avail, etc., E. H. CONGER.

[Inclosure 2.]

Prince Ching and Li Hung-chang to Mr. Conger.

PEKING, *October 27, 1900.*

YOUR EXCELLENCY: We have just received your excellency's communication, in which you state that reports have been reaching you that reactionary and disturbing officials are being appointed in the Yangtze provinces; that the power of the viceroys is being undermined, and the removal of the viceroys of the Liang Hu provinces and of Nanking is contemplated, but that you can not believe this, etc.

In reply we have the honor to say that it is very evident from your excellency's communication that you are sincerely friendly in your intercourse with us, for which we feel exceedingly grateful.

We would observe, however, that in regard to the two viceroys—Liang Hu provinces and Nanking—a decree was recently issued appointing these officers to consult with us in arranging terms of peace, and they are granted the position of minister plenipotentiary. The court certainly relies on the position of these officers, and they certainly have not been removed from their respective posts. Even supposing that the idea [of their removal] emanated from persons who are opposed to them, still the fact of their being high officials of the Government would certainly prevent them from venturing to defeat or overthrow them before the very presence of the Throne. We may inform your excellency that we have never heard of the reports to which you allude, and even your excellency knows that they are certainly not really true.

In sending this communication in reply to your excellency's, which we beg you will duly take note of, we ask you not to listen to false reports, etc.

[Inclosure 3.—Private note.]

Li Hung-chang to Mr. Conger.

PEKING, *October 27, 1900.*

YOUR EXCELLENCY: I beg to inform your excellency that I have just received a telegram from the governor of Shensi, Ts'en, stating that Kang I died on the 18th instant, and that Yu Hsien died by taking poison (lit: swallowing gold). This information is perfectly true. Further, that Prince Tuan is not allowed to accompany the Emperor.

Card of Li Hung-chang, with compliments.

Mr. Conger to Mr. Hay.

No. 435.] LEGATION OF THE UNITED STATES,
Peking, China, October 30, 1900.

SIR: I have the honor to confirm my telegram of the 28th. To make the Chinese Government indemnify native Christians for wrongs to their persons and property by the "Boxer" movement, the responsibility for which the Imperial Government practically acknowledges, would be a most humane act, and would give to missionary work great prestige for the future; but it would open up an almost limitless field of investigation, and I am of the opinion that if the missionary societies are adequately indemnified for their mission as well as their personal property, and commensurate punishment exacted for guilty or negligent officials, that it will be going far enough.

The missionaries can themselves settle many of the losses of their native Christians with the villagers where the losses have occurred. In fact, in some places the headmen of some localities have already proposed to rebuild the chapels and missionary residences destroyed.

After much discussion the ministers have all agreed that indemnity should be demanded for the losses of all Chinese who were during the recent trouble in the employ of foreigners.

I have, etc.,

E. H. CONGER.

Mr. Conger to Mr. Hay.

No. 436.] LEGATION OF THE UNITED STATES,
Peking, China, November 2, 1900.

SIR: I have the honor to report that the foreign representatives are making some progress toward an agreement upon general proposition for a settlement, as you have already learned from my telegrams. We shall continue to strive to agree upon all essential points before presenting any to the Chinese plenipotentiaries.

* * * * * * *

On the 31st ultimo I proposed the following:

For a further guaranty against future trouble an Imperial edict shall be issued and published everywhere in the Empire, making all viceroyal, provincial, and local officials responsible for order in their respective jurisdictions, and whenever anti-foreign disturbances or any other treaty infractions occur therein, which are not forthwith suppressed and the guilty persons punished, they, the said officials, shall be immediately removed and forever prohibited from holding any office or receiving any official honor.[1]

* * * * * * *

There has heretofore been little trouble in securing removal of minor officials, but the removal, except in rare cases, of those of high grades has been impossible. And even when it has been done they have been very soon thereafter appointed elsewhere or honored and promoted. The case of Yü Hsien, governor of Shantung and Shansi, is in point.

In regard to the return of the Emperor, Prince Ching, Li Hung-chang, and other prominent Chinese think it not possible for the

[1] See For. Rel. of the United States, 1896, pp. 57–59. (W. R.)

court to return here as long as a large force of troops remains. They will not come until they can be allowed at least to control and police the city and vicinity. Besides, the weather will soon be too inclement for them to travel; so that the probability is that we shall not see them until spring.

I have, etc.,

E. H. CONGER.

Mr. Rockhill to Mr. Hay.

No. 22.] PEKING, CHINA, *November 16, 1900.*

SIR: I have the honor to transmit to you herewith a translation of a telegram received from Chang Chih-tung, viceroy at Wu-chang, relating to the execution of the provincial treasurer of Chih-li and other officials at Pao-ting Fu, together with my reply sent him through our consul at Hankou.

The opinion of the viceroy that these punishments should have been inflicted by the Chinese authorities agrees, I believe, with the views of the Department as shown by the Department's note of September 21 to the German chargé d'affaires in Washington.

I am, etc.,

W. W. ROCKHILL.

[Inclosure 1.—Translation.]

Viceroy Chang Chih-tung to Mr. Rockhill.

SIR: I have learned that the allied forces at Paoting Fu killed the provincial treasurer of Chihli, Ting Yung, and others, in all six men. I have also learned that the foreign soldiers have gone to various districts, imprisoned and killed various magistrates. Although the reports in the foreign press say that the treasurer, Ting, had connived at and tolerated the "Boxers," nevertheless since August he certainly repented of his past deeds and dispatched soldiers to exterminate the "Boxer" bandits. Further, when the foreign soldiers went to Paoting Fu and the various districts, the treasurer did not lead his troops against the foreign soldiers, but went outside of the city to receive them and presented them with oxen and wine. It may be said that he certainly treated them kindly. Nothing was said beforehand that it was the purpose of the foreign forces to kill the treasurer, and, further, no explanation was made as to the crime he committed and a request made to China to deal with him herself. This can only cause foreigners to be treated with contempt, and still further give rise to a feeling of hatred in the future. It will be difficult for the Chinese officials to open their mouths in having any control in arranging peace, and they will be very much harassed. The Government of the United States is known to be equitable, sincere, and to do what is right, and desires China to exercise complete sovereign rights. This question was brought to the attention of the foreign powers by the United States, and it was agreed that China should herself deal with the leaders in this calamity. The action taken at Paoting Fu is at variance with the views of the United States, and this, I believe, the United States will agree to. The matter, however, is finished, and it is not necessary to thoroughly discuss it. What we are anxious about is that the foreign soldiers are still moving about in many directions, and it is not known what may happen. I ask you to consult with Mr. Conger and request the United States Government to use its best endeavors with the foreign powers to prevent them from again using their military power, so that the minds of the people may be set at rest and avoid further complications; that help may be offered to accomplish a settlement of terms of peace, and then enable China to get out of the difficulty. The people will then not harbor any feeling of resentment. A speedy settlement will enable the merchants and farmers to resume their respective avocations. I can not express how I hope for the accomplishment of this. I beg the favor of a telegraphic reply.

CHANG CHIH-TUNG.

20TH CHINESE MOON. (NOVEMBER 11, 1900.)

Mr. Hill to Mr. Rockhill.

No. 16.] DEPARTMENT OF STATE,
Washington, January 11, 1901.

SIR: I have to acknowledge the receipt of your dispatch No. 22, of November 16 last, inclosing the translation of a telegram to you from Chang Chih-tung, viceroy at Wuchang, in relation to the execution of the provincial treasurer of Chih-li, and other officials at Pao-ting Fu, together with a copy of your reply thereto.

The Department approves your reply to the viceroy informing him that you had communicated to your Government the substance of his telegram, and that the United States took no part whatever in the military expedition to Paoting Fu.

I am, etc.,

DAVID J. HILL,
Acting Secretary.

Mr. Conger to Mr. Hay.

No. 451.] LEGATION OF THE UNITED STATES,
Peking, China, November 16, 1900.

SIR: Confirming my telegram of this date, I have the honor to report that while the military expedition of the allied forces were at Pao-ting Fu a court of inquiry was organized, and five Chinese officials were tried, and three of them sentenced to decapitation, viz: Ting Yung, the provincial treasurer, who, at the time of the murder of the missionaries last July, was provincial judge; Kuei Heng, the chief Tartar official of the city, and Wang Chang-kuei, a lieutenant-colonel of the Chinese army, who, with his command, stood idly by while the murders were committed.

The present provincial judge, Shen Chia-pen, was recommended to be degraded and to be kept under military restraint until the appointment and arrival of his successor.

The tao-tai, T'an Wen-huan, was recommended to be sent to Tien-tsin for trial.

The sentences were approved by Field Marshal Count von Waldersee, and on the 6th instant the three first were duly executed.

For their connection with and gross negligence in the presence of the atrocious butchery of the helpless missionaries these men richly deserve the punishment inflicted; but, under all the circumstances, and in view of the present negotiations for a settlement, I apprehend a wiser course would have been to hold the prisoners for execution by the Chinese authorities, under a peremptory demand by the powers.

The whole movement has greatly frightened the court, and will make its early return to Pekin more difficult and less probable.

It was known to the allied forces sending out this expedition that orders had been previously given by Li Hung-chang to the Chinese soldiers to make no resistance, and the provincial and city officials at Pao-ting Fu were instructed to come out and meet them and give them a friendly reception. * * *

I have, etc.,

E. H. CONGER.

Mr. Conger to Mr. Hay.

No. 454.] LEGATION OF THE UNITED STATES,
Peking, China, November 20, 1900.

SIR: I have the honor to confirm my telegram of the 19th instant, and also to inclose[1] a copy of the decree therein mentioned. The punishments are all grossly inadequate, and by no means commensurate with the crimes. Prince Tuan, the chief patron of the Boxers, and the responsible leader of the movement, is only stripped of his titles, and banished (?) to Moukden, the capital of Manchuria. The other princes are treated still more leniently. The two members of the Tsungli Yamen, Ying Nien, and Chao Shu-chiao, who were also patrons of the Boxers and directors of their movements, are simply degraded, but remain in their high offices. Yü Hsien is punished a little more severely, but since he himself is responsible for the commencement of the Boxer movement in Shantung, and later for the murder of our missionaries in Shansi, and of which he, as governor of that province, boasts, nothing but death is a fit punishment for him. * * *

I have, etc.,

E. H. CONGER.

Mr. Conger to Mr. Hay.

No. 455.] LEGATION OF THE UNITED STATES,
Peking, China, November 20, 1900.

SIR: I have the honor to confirm your telegram of the 16th instant. When we reach the matter of reformation of the Tsung-li Yamen I will present the requirement that the minister for foreign affairs shall be able to speak some foreign language. But I fear this will limit the choice to a very small number of mostly young men, and preclude the selection of the stronger, better educated men of China. * * *

We are discussing the question of Peking as a treaty port, but in order to reach an agreement on the preliminary demands I fear this will have to be deferred to a later period in the negotiations.

As to the demand for posthumous honors, I have conferred with my colleagues and I find that this, too, must come later in the negotiations, if at all. With the exception of Chang Yin-huan, it is not known how thoroughly the others interested themselves in foreigners or foreign affairs. So far as our relation with them at the tsungli yamen was concerned, their friendship toward foreigners was notable only in contrast with the intense antiforeign sentiments of their colleagues.

I will urge the agreement upon a lump sum for indemnity at the proper time, and think if that plan can be adopted it will expedite final settlement. I have from the start tried to make the preliminary demands as general and as simple as possible, in order to avoid asking impossible terms which might defeat the purposes aimed at. I have been afraid that if we demand in the beginning the death of all the strong men surrounding the court their execution will be impossible, because there will be nobody to perform the work, and it is hardly to be expected they will execute themselves.

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[1] See dispatch No. 540, dated February 20, 1901, for this inclosure.

General Tung Fu-hsiang has command of all the troops with the court, and is practically master of the situation, and I have urged my colleagues to leave his name out of the first demand, so that he might carry out the imperial order for the execution of the others; but my colleagues are unanimous in their insistence that in view of the leading part he and his troops have taken in the whole antiforeign movement, his name must be included in the very first demand, and, if the impossibility of compliance is made evident, some different arrangement can be made as the negotiations progress.

You will observe from this that the word "ultimatum," which I have used in my telegrams, is not to be taken in its usual sense of meaning a fixed period within which demands must be complied with or hostilities will begin, but rather as an irrevocable decision, with a sort of mental reservation, that, in case of meeting actual impossibilities, it may be slightly changed. We have found it rather difficult to secure an agreement of the ten ministers upon all points, so several compromises have had to be made. We have, however, finally agreed in principle upon all the points named in my telegrams, except the one which requires China to agree to adopt such financial measures as the powers may indicate, to guarantee the payment of the said indemnities, and the interest on the public loan. * * *

I fully appreciate the importance of a speedy termination of negotiations. Trade is at a standstill. The revenues of China are falling off at the rate of half a million dollars per month; the expense of these great armies is adding so rapidly to her liabilities that soon it will be impossible for her to pay. Practically all missionary work is suspended, the business of our manufacturers and exporters at home is suffering, and unexpected internal disturbances may rise to further complicate matters at any time. Yet I think no settlement should be made that is not reasonably comprehensive, with an assurance of permanency, and adequate guaranties for the future.

I have, etc.,

E. H. CONGER.

Mr. Conger to Mr. Hay.

No. 459.] LEGATION OF THE UNITED STATES,
Peking, China, November 26, 1900.

SIR: I have the honor to confirm my telegram of the 24th instant, and to inclose a copy of the note setting forth the demands which it is proposed to present to the Chinese plenipotentiaries, either jointly or in identic notes. Some of the ministers have not been instructed whether to sign joint or identic notes. I am aware that ordinarily our Government is not in favor of joint action with European powers, but this is so plainly a world-wide question, and the necessity of strengthening our demands by unanimity, as well as by every other means, is so apparent, and being convinced that a joint note will be much more effective than separate notes, and will consequently hasten the final settlement which the President and yourself justly deem so important, I have felt myself authorized to sign a joint note, and shall do so if all the other ministers are so authorized. If not, we will send in identic notes.

The agreement of the Russian minister to the last paragraph of demand No. 5 was obtained by employing the words "measures acceptable to" instead of "indicated by the foreign powers."

There have been some concessions made by each minister, in order that we might reach an agreement. In consequence the demands are not exactly in accordance with the letter of your instructions, but are as near with their spirit as seemed possible to come to an agreement upon. I tried to have no names mentioned in connection with the death penalties, simply saying "all those mentioned in the decree of September 25, and such others as should be designated." Then I tried to have the name of Tung Fu-hsiang left out, in order to have him and his soldiers to punish the others. I also urged the dismantling, instead of razing, the Taku forts. But I was almost alone on all these propositions, and to have insisted upon them would have delayed indefinitely the negotiations. Therefore, in order to facilitate negotiations and secure the agreement of my colleagues to other important propositions, so that negotiations might begin, I yielded on these. If, therefore, the Governments all approve and authorize their representatives to sign, we ought to be ready to meet the Chinese plenipotentiaries in a very few days.

Besides the commercial and other reasons for an early beginning of negotiations heretofore mentioned, it is important in order to stop the military excursions being continually made into the interior by the European troops. In my judgment most of these are not necessary, and are greatly injuring the prospects of any satisfactory settlement.

Although the note as inclosed has been definitely agreed upon, it is possible that by the direction of some of the Governments changes may be necessary. Should this, however, occur I will immediately inform you.

I have, etc., E. H. CONGER.

[Inclosure 1.—Translation of amended text.]

During the months of May, June, July, and August of the present year serious disturbances broke out in the northern provinces of China, and crimes unheard of in human history, crimes against the laws of nations, against the laws of humanity, and against civilization were committed under particularly odious circumstances. The principal of these crimes were the following:

1. On the 20th June H. E. Baron von Ketteler, minister of Germany, proceeding to the tsungli yamen was murdered while in the exercise of his functions by soldiers of the regular army acting under orders of their chiefs.

2. The same day the foreign legations were attacked and besieged, these attacks being continued without interruption until the 14th August, on which date the army of foreign troops put an end to them. These [attacks] were made by regular troops who joined the Boxers and who obeyed orders of the court emanating from the imperial palace. At the same time the Chinese Government was declaring officially through its representatives near the powers that it guaranteed the security of the legations.

3. A member of the legation of Japan in the discharge of an official mission was killed by regulars at the gates of the city. In Peking and in several provinces foreigners were assassinated, tortured, or were attacked by Boxers and regular troops, and only owed their salvation to their determined resistance. Their establishments were pillaged and destroyed.

4. Foreign cemeteries, particularly in Peking, have been desecrated, the tombs opened, the remains scattered.

These events led the foreign powers to send their troops to China to protect the lives of their representatives and their nationals and to restore order. In their march on Peking the allied forces met with the resistance of the Chinese armies and had to overcome it by force.

China having recognized its responsibility, expressed its regrets, and manifested the

desire to see an end put to the situation created by the disorder referred to, the powers have resolved to accede to its request on the irrevocable conditions enumerated below, which they deem indispensable to expiate the crimes committed and prevent their recurrence:

1. (*a*) Dispatch to Berlin of an extraordinary mission led by an Imperial prince to express the regrets of His Majesty the Emperor of China and of the Chinese Government for the murder of his excellency the late Baron von Ketteler, minister of Germany.

(*b*) Erection on the place of the murder of a commemorative monument worthy of the rank of the deceased, bearing an inscription in the Latin, German, and Chinese languages, expressing the regrets of the Emperor of China for the murder.

2. (*a*) Death penalty for Princes Tuan and Chuang, Dukes Lan, Ying Nien, Kang Yi, Chao Shu-chiao, Tung Fu-hsiang, and Yü Hsien and those whom the representatives of the powers shall later on designate. Exemplary punishment proportionate to their crimes for the other personages named in the Imperial decree of September 25, 1900, and for those whom the representatives of the powers shall later on designate.

(*b*) Suspension of all official examinations for five years in all the cities in which the foreigners have been massacred or have been subjected to cruel treatment.

3. An expiatory monument shall be erected by the Imperial Chinese Government in each of the foreign or international cemeteries which have been desecrated and in which the tombs have been destroyed.

4. Maintenance, under conditions to be settled between the powers, of the interdiction of the importation of arms as well as of material for the manufacture of arms and munitions.

5. Equitable indemnities for the governments, societies, and individuals, as well as for the Chinese who have suffered during the late events in person or in property on account of their being in the service of foreigners.

China shall adopt financial measures acceptable to the powers for the purpose of guaranteeing the payment of said indemnities and the interest on loans.

6. Right for each power to organize a permanent guard for its legation and to put the diplomatic quarter in a state of defense. Chinese shall not have the right to reside in this quarter.

7. The forts of Taku and those which could prevent free communication between Peking and the sea shall be razed.

8. Right to occupy militarily certain points to be settled on by an understanding between the powers for keeping open communication between the capital and the sea.

9. The Chinese Government shall have posted during two years in all subprefectures an Imperial decree stating—

(*a*) Perpetual prohibition under pain of death from belonging to any antiforeign society.

(*b*) Enumeration of the punishments which shall have been inflicted on the guilty, together with the suspension of all official examinations in the cities where foreigners have been murdered or have been subjected to cruel treatment.

(*c*) An Imperial edict shall be made and published throughout the Empire declaring that the governors-general and governors and all provincial or local officials shall be responsible for order in their jurisdictions, and that in case of fresh troubles or other infractions of treaties, and in case of acts of hostility against foreigners which shall not have been immediately repressed and the guilty persons punished, these officers shall be at once removed from office and may not be recalled to new functions or receive new honors.

10. The Chinese Government pledges itself to negotiate the amendments deemed useful by the foreign representatives to the treaties of commerce and navigation, and upon other subjects relating to commercial relations with the object of facilitating them.

11. The Chinese Government pledges itself to reform the office of foreign affairs and to modify the court ceremonial concerning the reception of foreign representatives in the sense which the powers shall indicate.

Mr. Conger to Mr. Hay.

No. 461.] LEGATION OF THE UNITED STATES,
Peking, China, November 30, 1900.

SIR: I have the honor to inclose copy of two communications which I addressed to the peace commissioners on the 19th and 27th of November, respectively. Identic notes were also sent by my colleagues.

The first was sent because it was considered by the diplomatic body that in view of the active part taken by Tung Fu-hsiang in the attempt to massacre all foreigners in north China, and the bad influence he was exerting through his military power, it was no place for him to be near the court.

The second refers to honors conferred on Li Ping-heng and his son and grandson, as will be seen by the two decrees inclosed herewith. Li Ping-heng has always been notorious for his hatred of foreigners and everything foreign. He was governor of Shantung in 1897, when the murder of the two German missionaries occurred, which led to the seizure by Germany of the port of Kiao-chao. He was degraded two steps, and transferred to another post. This sentence, by the wording of the decree, could not be commuted in any way. During the siege he arrived in Peking, and was largely instrumental in bringing about the death of the six Chinese ministers who were favorable to foreigners, and who were decapitated by Imperial decree. His antiforeign spirit was so marked and his sympathy with the Boxer movement so intense that the diplomatic corps regarded the action of the court in conferring upon him and his relations marks of Imperial favor calculated to mislead public opinion, and they thereupon entered a protest by identic note, as will be seen by inclosure No. 2.

I have, etc.,

E. H. CONGER.

[Inclosure No. 1.]

Mr. Conger to Prince Ching, Li Hung Chang, etc.

PEKING, *November 19, 1900.*

YOUR HIGHNESS AND YOUR EXCELLENCY: I have learned that General Tung Fu-hsiang is still remaining with the court.

In view of the important part which he has taken in the recent events, I consider that it is no place for him there, and he ought to be sent away at once.

I avail myself, etc.,

E. H. CONGER.

[Inclosure No. 2.]

Mr. Conger to Prince Ching, Li Hung Chang, etc.

PEKING, *November 27, 1900.*

YOUR HIGHNESS AND YOUR EXCELLENCY: I notice among the Imperial decrees, bearing date September 20, one conferring rank and privileges on a son and grandson of the late Li Ping-heng "as an indication of sincere regard for loyal and faithful service, a regard which is boundless and ever increasing."

That His Imperial Majesty should duly reward loyal and faithful service is but meet and proper. In the present case, however, the fact of his using language such as that of the decree in question and a former one, issued immediately after the death of Li Ping-heng, eulogizing him and conferring posthumous honors on him, might mislead public opinion by inducing the Chinese people to believe that, while ostensibly negotiating with the powers for a renewal of the former friendly relations, the advisers of His Majesty continue to cherish the same hostile sentiments which have made the late Li Ping-heng so notorious.

It is needless for me to dilate on Li Ping-heng's record, his well-known antiforeign spirit, the incidents which marked his progress northward, the added vigor which he infused into the attack on the legations, his complicity in bringing about the death of high officials favorable to Europeans, and, last of all, his death, fighting to oppose the advance of troops seeking to save the lives of ministers and subjects of nations

with whom His Imperial Majesty professed to be at peace. Such being the case, it is my duty most energetically to protest against the issue and publication of decrees of this kind, and I have to request you to be good enough to make representations in this sense, and to intimate that I request that such decrees are not published for the future.

I avail myself, etc., E. H. CONGER.

[Inclosure No. 3.—Translation.]

Decree issued on the 6th September and published in the Peking Manuscript Gazette November 3, 1900.

Li Ping-heng, assistant generalissimo of the Wu-Wei army corps, formerly governor-general of Szechuan, was personally a pure and upright man. He showed himself a public-spirited and loyal officer in the administration of public affairs. He commenced his official career as a magistrate, and advanced to the highest rank. Wherever he held office he stopped abuses and punished the avaricious. He respected and loved to consider the feelings of the people. We had just promoted him to be governor-general of Szechuan, when, on account of certain affairs (Chantung missionary case), he was degraded and transferred to another post. On account of illness, however, he took home leave.

Last year he was received in audience, and, fortunately, he had regained his health. We then appointed him to proceed on a mission of inquiry to Moukden. Afterwards we sent him as inspector of naval affairs on the Yangtze River, and he instituted reforms and put everything in proper working order. On the commencement of military operations we called him to Peking. In spite of the heat he hurried on the journey north, and on arrival received our commands to lead our troops. He had just arrived at the place he was to defend, when he found the country in a state of excitement over the war. He did not achieve any good results, but this was owing to the fact that the forces under his command had not been in training for any length of time, and the officers were unable to render any good services. We did not blame Li Ping-heng for losing in battle. We now learn that his troops were defeated in battle and retired, and on the 11th of August he committed suicide at Chang-Chia Wan, near Tung Chou. Although no memorial has been presented to us regarding his death, still the report that has come to us may be taken as reliable. Words are inadequate to express how grieved we are over the news of his death.

Let Li Ping-heng have conferred upon him such favors as are by law prescribed for governors-general, and all bad marks against his name are hereby remitted. Let the yamen concerned look up the code and report to us any other marks of favor that should be bestowed upon him. Further, as an extra act of imperial favor, let a posthumous title be conferred upon him and sacrifices be made in the Chao-chung Ssu. Ting Yung is hereby appointed to offer libations to the spirit of the dead officer. Let the local officials make all necessary arrangements when the body is conveyed to its native place.

Permission is given for the corpse to be conveyed into Peking. Let the military governor at Moukden ascertain whether the deceased left any relations in official life and report to us, so that we may confer on them some marks of our Imperial favor as an indication of our regard for a loyal officer.

[Inclosure No. 4.—Translation.]

Decree issued on the 19th of September and published in the Peking Manuscript Gazette November 16, 1900.

Let Li Cheng-chun, eldest son of Li Ping-heng, an honorary licentiate, holding the rank of second degree, and an expectant assistant subprefect of Kiang-su, be promoted to be a magistrate of an independent department in Kiang-su; also let Li Hsieh-fu, eldest grandson of Li Ping-heng, be made a Chü-jen (provincial graduate), and he is permitted to compete for the metropolitan graduate's degree.

The above promotions are conferred as an extra act of grace, as an indication of sincere regard for loyal and faithful service—a regard which is boundless and ever increasing.

Mr. Conger to Mr. Hay.

No. 466.] LEGATION OF THE UNITED STATES,
Peking, China, December 5, 1900.

SIR: I have the honor to confirm, as inclosures herein, your cipher telegram of the 27th ultimo, and mine of the 4th instant.

The latter is the full text of the note including the demands which the ministers have unanimously agreed upon to be sent to the Chinese plenipotentiaries. You will observe that several changes have been made in the demands as originally sent to you; the most important of them in compliance with your telegram, and agreed to by a majority of my colleagues only because I strenuously insisted upon them, and in order not to greatly endanger negotiations by further unnecessary delay. All the ministers, except the Russian and British, had been instructed to sign the note as it was. The British minister had not yet received definite instructions, and the Russian minister had been instructed to sign only on condition that the death penalty was left out. I therefore had the active assistance of these two and the Japanese minister, and have been working with the others ever since the receipt of your telegram.

A meeting was called, at my suggestion, on yesterday. Upon the question of substituting the words "severest punishment" for "death penalty," the German, Austrian, and Italian ministers voted "No," but agreed that when it came to signing the note they would sign the changed note. The death penalty having been stricken out, it was thought by a majority of the ministers that there could not be serious objection to the use of the word "irrevocable" in the preamble; but I insisted that it should go out, and, instead of referring to the conditions as "irrevocable," we would say "absolutely indispensable;" and finally all agreed that if my Government would not give way on this point, they all would, for the sake of harmonious and immediate action, agree to the change. But the German, French, Austrian, Italian, Spanish, and Belgian ministers very much preferred to retain the word "irrevocable," and begged me to ask my Government to yield. I promised to telegraph you the facts and await instruction.

Their principal reasons for insisting upon the word "irrevocable" were that any change would weaken our case and encourage the Chinese, and that by retaining the word there would be far less danger of quibbles and delays on the part of the Chinese; and that, with the words "death penalty" stricken out there was no danger in leaving the word "irrevocable" in. Besides, they all insisted that it was not used in the sense of an ultimatum. However, whether or not you insist upon its being stricken out, the note will be signed as soon as I hear from you. I am presuming that the British minister will by that time have received his instructions. Everything is so chaotic here and unexpected conditions so likely to arise at any moment that further delay is very dangerous. So many concessions have been made and so many changes agreed to by the several ministers that now, having reached a possible agreement, advantage should be taken of it and the matter closed.

The British minister is expecting to-day his instructions to sign. When he does receive them, they will be only waiting for me. I hope, therefore, very soon to receive your telegraphic approval of and authority to sign the note.

I have, etc.,

E. H. CONGER.

Mr. Conger to Mr. Hay.

No. 474.] LEGATION OF THE UNITED STATES,
Peking, China, December 12, 1900.

SIR: The Chinese plenipotentiaries have repeatedly assured various representatives of the powers that their full powers in due form would be exhibited at the proper time, yet we have recently learned that they have no evidence of same except decrees which they say they have received by telegraph. They have had three months in which to procure the fully authenticated documents themselves, and it is a great surprise to us all that they have them not. They have, however, promised to telegraph to the court a copy of the letters patent issued to Li Hung-chang for negotiations with Japan, and request the issuance of like powers now.

This morning I received from Prince Ching and Li Hung-chang a communication, copy of which I inclose, setting forth another telegraphic decree granting them full powers, and they again promise that when negotiations begin they will be able to present full powers, duly sealed and properly authenticated.

This decree is also published in the Official Gazette to-day.

It is therefore probable that satisfactory evidence of their full authority to act will be forthcoming in time to prevent serious delay in the negotiations.

I have, etc., E. H. CONGER.

[Inclosure.]

Prince Ching and Li Hung Chang to Mr. Conger.

PEKING, *December 12, 1900.*

YOUR EXCELLENCY: We have the honor to transmit a telegraphic edict which we received, issued on the 9th of December, as follows:

"By our imperial mandate, bearing our seal, full powers are given to I-K'uang (Prince Ching) and Li Hung-chang. Let action be taken as requested."

We will respectfully act in accordance with (the above edict), and when negotiations commence we will present the Imperial mandate bearing the Imperial seal, for the inspection of the foreign ministers.

As in duty bound, we send a copy of the above edict, so that your excellency may take note of it accordingly.

Mr. Conger to Mr. Hay.

No. 475.] LEGATION OF THE UNITED STATES,
Peking, China, December 12, 1900.

SIR: Referring to my dispatch No. 461, of November 30 last, with reference to the removal of General Tung Fu-hsiang, with his baneful influence and inordinate power, from the immediate vicinity and control of the court, I have the honor to inclose herewith translation of a communication received from Prince Ching and Li Hung-chang, embodying an Imperial decree ordering him to Kansuh, and disbanding 5,500 of his troops.

There is in this action a pretense of punishment, but it can in nowise be accepted as commensurate with his offense. If, however, the decree is carried out and he and his troops are removed, the court

will be left free to punish other criminals, and to return, in due time, without hindrance, to Peking. Severer punishment for General Tung Fu-hsiang may be opportunely demanded a little later on.

I have, etc.,

E. H. CONGER.

[Inclosure.—Translation.]

Prince Ching and Li Hung-chang to Mr. Conger.

PEKING, *December 9, 1900.*

YOUR EXCELLENCY: We had the honor, some time ago, to receive your excellency's note, in which you observed that General Tung Fu-hsiang should not be near the court, etc.

We at once memoralized the Throne, setting forth the observations made by your excellency, and on the 3d of December a decree was issued as follows:

"Tung Fu-hsiang, general of Kansu, formerly rendered meritorious service in the successive battles he waged against the Mohammedans in Kansu. After his transfer to Pekin he showed ignorance of the condition of affairs existing between China and foreign countries, and failed to respectfully sympathize with the Court's sincere purpose of cultivating friendly relations (with the powers). Whenever questions came up he generally treated them in an abrupt, careless manner, and it is right that he should be severely punished; but taking into consideration that (matters in) the province of Kansu are of great importance, and as the said general is certainly the right man in the right place there, we will treat his offense leniently, and order that he be deprived of his rank but allowed to retain his office. Of the various troops under his command we have ordered that 5,500 be dismissed. We further order that the said general, with the various battalions of his bodyguard or own forces, at once return to Kansu and there take up a commanding or strategical position and establish defenses, so that we may see whether he exerts himself."

As in duty bound we inclose the above decree for your excellency's information.

Mr. Conger to Mr. Hay.

No. 478.] LEGATION OF THE UNITED STATES,
Peking, China, December 17, 1900.

SIR: I have the honor to inclose herewith copy of my telegram of the 16th instant, and to say that this suggested change comes as a great surprise from the British Government, because we have believed it fully appreciated the necessity of, and was as anxious for, early negotiations as any of us.

The British minister had agreed to the terms of the note as I telegraphed it to you, and believed himself authorized to sign, but preferred to wait formal authorization. Hence my former telegram to you saying that all of my colleagues were waiting for me.

The British minister insists that the idea of his Government in suggesting the additional paragraph, "Until the Chinese Government has complied with the above to the satisfaction of the powers, the undersigned can hold out no expectation that the occupation of Peking and the province of Chihli by the general forces can be brought to a conclusion," is to limit the scope of possible ulterior operations to the continued occupation of Peking and the province of Chihli only, and so alleviate in part the rigor of the apparent ultimatum in the word "irrevocable."

* * * * * * *

As stated in my telegram, the German and Russian ministers have already agreed to the addition, and all the others, except the Japanese

minister, who is waiting a reply to telegram sent to his Government yesterday, have since signified their willingness to accept the addition.

Most of my colleagues construe this British amendment rather in the nature of a promise to withdraw the troops from Peking if the Chinese Government does comply with our demands. If, therefore, the Chinese Government so understands, and properly appreciates the situation, and earnestly desires an amicable settlement, and will, without delay, accept the terms submitted by the powers, and at once set about compliance therewith, the execution of nearly all the demands can either be fully accomplished or such progress made toward that end as will justify the withdrawal from Peking of all the troops except the actual legation guard, and the return of the Court to the capital. It will be impossible for the troops to withdraw before spring, and equally impossible for the Imperial Government to come hither before that time. It never can nor will come while the troops remain.

In the meantime the criminals named can be punished; satisfactory arrangements can be made with the German and Japanese Governments for sending the missions and erecting the expiatory monuments proposed; the Taku forts can be razed or arrangements made therefor; formal decrees can be issued covering other points, and all may be done from Sian Fu, leaving for future adjustment practically only demands Nos. 6 and 11; that is, questions of indemnities, requisite financial measures, and the necessary amendments to the treaties of commerce and navigation. These are the most important of all, and can not be settled at once. They can be much more equitably, satisfactorily, and speedily settled by a conference of the powers, either in Europe or America. * * *

The question of withdrawing the troops from Peking is a most important one, and will soon confront us. For the benefit of China, as well as in the interest of all the powers, it should be accomplished at the earliest possible date. * * * It seems, therefore, that it would be advantageous if such preliminary communication might be had with the strong powers as would prepare the way for telegraphic orders for the immediate withdrawal of troops when the proper stage in the negotiations shall be reached.

It would undoubtedly be necessary to continue considerable foreign force in China some time yet; that is, until negotiations are completed; though by no means the large armies now here. This force, however, ought to be located where it will have the least possible contact with the Chinese people, and interfere in the least possible way with Imperial or local control of Chinese affairs, or the execution of Chinese laws. It should simply remain in China to insure the completion of satisfactory and promised negotiations, or for emergencies possible to arise while China is getting back to normal conditions.

I write this dispatch at this time in anticipation and for the better understanding of probable telegraphic communications likely to be made later on.

I have, etc., E. H. Conger.

Mr. Conger to Mr. Hay.

No. 482.] LEGATION OF THE UNITED STATES,
Peking, China, December 23, 1900.

SIR: I have the honor to confirm herewith your telegrams of the 5th, 17th, 19th, and 21st instants, and mine of the 19th, 20th, and 22d instants.

I am gratified with and grateful for your permission to sign the note in the final terms agreed to, and I believe it will turn out better thus than if we had insisted to the end of opening up the whole question again.

I regret exceedingly the error in the transmission of your cipher telegram of the 5th instant. But for this all the late trouble and misunderstanding would have been avoided. As it arrived and was understood here, it instructed me to sign the note as the majorities desired—that is, retaining the word "irrevocable." It is true this did not make a correct grammatical construction, and for this reason its repetition might have been requested; but it was such a direct reply to the inquiry, in which I used the word "majority," that, after trying numerous other combinations, we had no doubt that you intended for me to accede to the wish of the majority and retain the word. This construction did not seem unreasonable, since I understood your strongest opposition to the word grew out of its use in connection with the demand for death punishments, the omission of which I had secured. As further strengthening this view, I apprehended that you had concluded that it was such a short step from "conditions absolutely indispensable" to "irrevocable conditions" that the latter might be used instead of the former. Hence, as I wired you, I immediately notified all my colleagues, on the 7th instant, that my Government instructed me to accept the word "irrevocable," and we all believed the matter settled until the receipt of your telegram of the 16th instant. In the meantime all my colleagues had so wired their Governments, and none of them were willing, unless compelled to do so, to telegraph for further instructions. I therefore feel certain that your permission to sign, although reluctantly given, has greatly facilitated negotiations. I also hope and believe that no serious trouble can come from the retention of the word "irrevocable."

A meeting of the ministers was held yesterday afternoon, in which I again clearly stated to my colleagues that my statement to them on the 7th instant, that my Government had agreed to the retention of the word "irrevocable," was a mistake, resulting from an error in the transmission of a telegram, and that, on the contrary, you had been opposed to the word from the beginning, and still believed its use unwise, as apparently equivalent to "ultimatum;" but that in order not to unnecessarily delay or imperil negotiations, you had authorized me to sign the note with its retention. I therefore signed, and it was decided to request Prince Ching and Li Hung-chang to meet us at the Spanish legation at 10 o'clock a. m. on Monday, the 24th instant, when it will be presented to them.

I inclose herewith a copy of the note in French, that being the language in which it is written; and also a copy of the English translation agreed upon by the British minister and myself, which, together with a Chinese translation, will accompany the note. * * *

I have, etc.,

E. H. CONGER.

[Inclosure—Dispatch 482.—Translation.]

During the months of May, June, July, and August of the present year, serious disturbances broke out in the northern provinces of China and crimes unprecedented in human history—crimes against the law of nations, against the laws of humanity, and against civilization—were committed under peculiarly odious circumstances. The principal of these crimes were the following:

1. On the 20th of June his excellency Baron von Ketteler, German minister, proceeding to the tsungli yamen, was murdered while in the exercise of his official duties by soldiers of the regular army, acting under orders of their chiefs.

2. The same day the foreign legations were attacked and besieged. These attacks continued without intermission until the 14th of August, on which date the arrival of foreign troops put an end to them. These attacks were made by regular troops, who joined the Boxers, and who obeyed orders of the court, emanating from the Imperial palace. At the same time the Chinese Government officially declared by its representatives abroad that it guaranteed the security of the legations.

3. The 11th of June Mr. Sugiyama, chancellor of the legation of Japan, in the discharge of an official mission, was killed by regulars at the gates of the city. At Peking and in several provinces foreigners were murdered, tortured, or attacked by Boxers and regular troops, and only owed their safety to their determined resistance. Their establishments were pillaged and destroyed.

4. Foreign cemeteries, at Peking, especially, were desecrated, the graves opened, the remains scattered abroad. These events led the foreign powers to send their troops to China in order to protect the lives of their representatives and their nationals, and to restore order. During their march to Peking the allied forces met with the resistance of the Chinese armies and had to overcome it by force. China having recognized her responsibility, expressed her regrets, and manifested the desire to see an end put to the situation created by the disturbances referred to, the powers have decided to accede to her request on the irrevocable conditions enumerated below, which they deem indispensable to expiate the crimes committed and to prevent their recurrence:

1. (*a*) Dispatch to Berlin of an extraordinary mission, headed by an Imperial Prince, to express the regrets of His Majesty the Emperor of China, and of the Chinese Government, for the murder of his excellency the late Baron von Ketteler, German minister.

(*b*) Erection on the place where the murder was committed of a commemorative monument suitable to the rank of the deceased, bearing an inscription in the Latin, German, and Chinese languages, expressing the regrets of the Emperor of China for the murder.

2. (*a*) The severest punishment in proportion to their crimes for the persons designated in the Imperial decree of September 25, 1900, and for those whom the representatives of the powers shall subsequently designate.

(*b*) Suspension of all official examinations for five years in all the towns where foreigners have been massacred, or have been subjected to cruel treatment.

3. Honorable reparation shall be made by the Chinese Government to the Japanese Government for the murder of Mr. Sugiyama, chancellor of the Japanese legation.

4. An expiatory monument shall be erected by the Imperial Chinese Government in each of the foreign or international cemeteries which have been desecrated and in which the graves have been destroyed.

5. Maintenance, under conditions to be settled between the powers, of the prohibition of the importation of arms as well as of material used exclusively for the manufacturing of arms and ammunition.

6. Equitable indemnities for governments, societies, companies, and private individuals, as well as for Chinese who have suffered during the late events in person or in property in consequence of their being in the service of foreigners. China shall adopt financial measures acceptable to the powers for the purpose of guaranteeing the payment of said indemnities and the interest and amortization of the loans.

7. Right for each power to maintain a permanent guard for its legation and to put the legation quarter in a defensible condition. Chinese shall not have the right to reside in this quarter.

8. The Taku and other forts, which might impede free communication between Peking and the sea, shall be razed.

9. Right of military occupation of certain points, to be determined by an understanding between the powers, for keeping open communication between the capital and the sea.

10. (*a*) The Chinese Government shall cause to be published during two years in all subprefectures an Imperial decree embodying:

Perpetual prohibition, under pain of death, of membership in any antiforeign society;

Enumeration of the punishments which shall have been inflicted on the guilty, together with the suspension of all official examinations in the towns where foreigners have been murdered or have been subjected to cruel treatment.

(*b*) An Imperial decree shall be issued and published everywhere in the Empire declaring that all governors-general, governors, and provincial or local officials shall be responsible for order in their respective jurisdictions, and that whenever fresh anti-foreign disturbances or any other treaty infractions occur, which are not forthwith suppressed and the guilty persons punished, they, the said officials, shall be immediately removed and forever prohibited from holding any office or honors.

11. The Chinese Government will undertake to negotiate the amendments to the treaties of commerce and navigation considered useful by the powers, and upon other subjects connected with commercial relations, with the object of facilitating them.

12. The Chinese Government shall undertake to reform the office of foreign affairs and to modify the court ceremonial relative to the reception of foreign representatives in the manner which the powers shall indicate.

Until the Chinese Government have complied with the above to the satisfaction of the powers, the undersigned can hold out no expectation that the occupation of Pekin and the province of Chihli by the general forces can be brought to a conclusion.

Peking, December 22, 1900.

For Germany,	A. MUMM.
For Austria-Hungary,	M. CZIKANN.
For Belgium,	JOOSTENS.
For Spain,	B. J. DE COLOGAN.
For United States of America,	E. H. CONGER.
For France,	S. PICHON.
For Great Britain,	ERNEST SATOW.
For Italy,	SALVAGO RAGGI.
For Japan,	T. NISSI.
For Netherlands,	F. M. KNOBEL.
For Russia,	MICHEL DE GIERS.

Mr. Conger to Mr. Hay.

No. 483.] LEGATION OF THE UNITED STATES,
Peking, China, December 24, 1900.

SIR: I have the honor to confirm on the overleaf my telegram of to-day, and to say that at 10 o'clock this morning the representatives of the foreign powers met in formal session at the Spanish legation with Prince Ching, who came with his secretaries and interpreters. Li Hung-chang, who has for some days been suffering with a severe cold, was not able to be present.

The joint note heretofore telegraphed to you, and of which a copy was transmitted in my dispatch No. 482, of the 23d instant, was handed to Prince Ching by the Spanish minister, who read the brief remarks, copy of which I inclose. Prince Ching briefly responded in the few words, copy of which I also inclose. Prince Ching then delivered to each minister the full powers of himself and Li Hung-chang, which appear to be in proper form, duly signed with the Imperial seal. The sufficiency of the powers will be determined at the next meeting. I inclose a translation of them herewith. I also transmit herewith translations of the note of the Spanish minister of the 23d, inviting the Chinese plenipotentiaries to meet with us, and Prince Ching's reply.

I have, etc.,

E. H. CONGER.

[Inclosure 1.]

Remarks made by Mr. de Cologan on placing the joint note in the hands of Prince Ching, December 24, 1900.

I have the honor to hand you a joint note, in which the foreign representatives have set forth, in the name of their respective Governments, the conditions necessary for the reestablishment of friendly relations with China.

I beg you will transmit it to His Majesty the Emperor of China, and give us as prompt a reply as possible.

[Inclosure 2.]

Translation of Prince Ching's address in reply to M. de Cologan, December 24, 1900.

Having received from their excellencies the ministers of the foreign powers the proposals for peace, I beg to say that I will at once send them by telegram to His Majesty the Emperor of China. On receipt of His Majesty's decree I will send the foreign ministers a reply.

[Inclosure 3.]

Translation of powers granted Prince Ching and Li Hung-chang.

[An extraordinary Imperial mandate issued by His Majesty the Emperor of China.]

Whereas we are desirous of placing the relations between ourselves and the Government of the United States on an universal and friendly footing, we, for this purpose, specially delegate as our ambassadors plenipotentiary I-K'uang, an Imperial Prince of the first order, with the title of Ching, president of the Tsungli Yamen, and Li Hung-chang, a member of the first degree of the third rank of hereditary nobility, with the honorific appellation of Su-i, senior grand secretary, governor-general of the province of Chihli, minister superintendent of foreign trade.

They will meet and treat with the plenipotentiaries appointed by all the powers, and, availing themselves of their discretionary powers of action, in concert with them, draw up preliminary articles (of a treaty), absolute authority thereto to append their names and affix their signs manual being granted to them.

The said prince and minister are animated by feelings of loyal and disinterested patriotism, and their previous record of long and distinguished service gives us an assurance that they will display care and diligence in the exercise of their functions, and, by knitting together the ties of friendship which bind nations to each other, prove themselves not unworthy of the trust reposed in them.

We shall ourselves ratify such treaty as may be agreed upon, and, if found to be in proper and due form, proceed to ratify the same.

[Inclosure 4.]

Mr. de Cologan to Prince Ching and Li Hung-chang.

PEKING, *December 23, 1900.*

YOUR HIGHNESS AND YOUR EXCELLENCY: In the name of my honorable colleagues, I have the honor to invite you to come to the Spanish legation on the 24th instant, at 10 o'clock a. m., for the purpose of having made known to you upon what conditions the representatives of the foreign powers consider that friendly relations between their Governments and China can be reestablished.

The representatives of the powers consider that this meeting should be limited to the delivery of the note containing the conditions to which I have just alluded, and that consequently there should be permitted no exchange of views upon the subject.

I content myself with communicating to your highness and your excellency the text of some words which I have been charged to address to you, and I will be grateful if you will, before the opening of the conference, furnish me with the text of the reply which you will make.

I improve the occasion to reiterate to your highness and your excellency the assurance of my highest consideration.

[Inclosure 5.]

Prince Ching and Li Hung Chang to M. de Cologan.

PEKING, *December 23, 1900.*

YOUR EXCELLENCY: We have just received your excellency's note, in which you invite us to meet at the Spanish legation on the 24th of December at 10 o'clock a. m., when will be presented to us in person the conditions upon which the representatives of the foreign powers consider that friendly relations between their Governments and China can be reestablished. Your excellency requests that we forward to you a copy of the address we will make at the meeting.

In reply we beg to state that it is right that we should be at the Spanish legation at the appointed hour. The grand secretary, Earl Li, however, is laid up with a cold and will not be able to be present, but the Prince, with his attachés and interpreters, will attend the meeting of the foreign ministers at the time named.

We inclose copy of the address which will be made at the meeting, which we beg you will peruse.

Mr. Conger to Mr. Hay.

No. 492.] LEGATION OF THE UNITED STATES,
Peking, China, January 5, 1901.

SIR: I have the honor to report that En Hai, a Manchu soldier belonging to the Peking field forces, who was arrested in September, charged with having murdered the German minister, Baron von Ketteler, on the 20th of June last, was publicly beheaded on the 31st ultimo by the German military authorities, on the same spot where the murder was committed.

According to En Hai's statement, which can not, however, be relied upon, he was placed in charge of a corner of the Hata street and one of the side streets leading toward the Tsungli Yamen, having under him some 30 men. At about 4 o'clock on the afternoon of the 19th of June he received a verbal order of a prince to shoot all foreigners passing along the street. The order was such an unusual one that he considered it his duty to return to the camp and consult with his superior officer, who confirmed the order. He stated that while he did not know the name of the particular prince who had issued the order, he was quite sure it had been issued with the knowledge of his commanding genenal, Prince Ching. He also said that the order was directed against foreigners in general, not against the Germans or ministers in particular. On the morning of the 20th, when he saw the chairs of the minister coming up the street, he ordered his guard to load their pieces, and upon the near approach of the chairs fired himself, when the firing became general. A revolver was afterwards found in the chair, with one chamber empty. The body of the minister was dragged into a side alley and left there until buried, a few days later. The clothing was not removed, nor the remains otherwise maltreated.

I have, etc.,

E. H. CONGER.

Mr. Conger to Mr. Hay.

No. 493.] LEGATION OF THE UNITED STATES,
Peking, China, January 5, 1901.

SIR: I have the honor to confirm, on the overleaf, my telegram of the 1st instant, and your reply of the 3d, and to say that the impracti-

cability of satisfactorily negotiating here upon the question of indemnities, and the consequent financial measures necessary to be taken, which will require various treaty amendments, becomes each day more apparent.

The principle by which war expenses are to be assessed or estimated ought to be uniform, and can only be made so by an agreement between the powers incurring such expenses. * * *

Financial measures to be adopted, and how much, if any, foreign supervision shall be given, can best be discussed where the powers interested can be more quickly and intelligently consulted and conferred with than is possible here.

The same is true of the treaty revisions. It is, however, very doubtful if the revisions can be made by the powers together. * * *

I have, etc.,

E. H. CONGER.

Mr. Conger to Mr. Hay.

No. 495.] LEGATION OF THE UNITED STATES,
Peking, China, January 8, 1901.

SIR: I have the honor to inclose herewith copy of the note in which the Chinese plenipotentiaries, embodying the Imperial decree, notified us of the acceptance of our demands, and requested that a date be fixed for the discussion of all questions.

It was the unanimous opinion of all the ministers that this was an absolute acceptance of our demands, but since the demands were not set out either in the decree or the note of the plenipotentiaries, we decided, in order to prevent any future misunderstanding or discussion, to require the signatures of the Chinese plenipotentiaries to a protocol setting forth in detail the demands, together with their letter of acceptance, after which we would be ready to discuss with them the questions of detail connected with the demands. This protocol was prepared in both French and Chinese, and a copy sent to them to be signed and returned to each minister. A copy of the decree of acceptance, which they had set out in their note, was also requested for each minister, duly authenticated by Imperial seal. A copy of this protocol will be transmitted in my next dispatch.

The protocol was not delivered to the Chinese plenipotentiaries until the 7th instant. In the meantime we were privately informed by them that * * * the Emperor had by another decree forbidden them to accept the demands without certain changes were made. Prince Ching and Li Hung-chang have telegraphed a strong protest against this last decree, and are awaiting a reply.

It will not do to abate one jot or tittle until these demands are formally and, so far as the Chinese are concerned, irrevocably accepted. If after that, in the discussion of details, some minor concessions are found necessary, they may be made.

The question of dismantling instead of razing the Taku forts may be taken up. It is also thought best not to touch upon the question of stopping military excursions into the interior until the above-mentioned protocol is signed. As soon, however, as it is formally signed attention will be given to this latter matter.

I have, etc.,

E. H. CONGER.

[Inclosure.]

Prince Ching and Li Hung Chang to M. de Cologan.

PEKING, *December 30, 1900.*

YOUR EXCELLENCY: On the 24th of December the foreign ministers plenipotentiary personally handed to us the treaty in 12 articles which, after just consultation, they have adopted. We, the prince and minister, submitted by telegraph to the Throne the complete text of the Chinese translation, and on the 28th of December we received the following decree, dated 27th of December:

"We have duly perused Prince Ching's and Li Hung-chang's telegram, and it behooves us to agree to the whole of the 12 articles."

As in duty bound we, the prince and the minister, send this communication to your excellency and beg that you will in turn transmit it to your colleagues. We have also to request that a time and place be fixed for an interview to discuss all questions. We beg that you will favor us with a reply.

The above articles having been agreed to by the Chinese Government, we would also further request that until evacuation by the troops takes place no further expeditions be undertaken by the troops of the powers to the departments and districts, to the end that the minds of the people may be pacified and relations of friendship strengthened.

Mr. Conger to Mr. Hay.

No. 506.]

LEGATION OF THE UNITED STATES,
Peking, China, January 19, 1901.

SIR: I have the honor to confirm my telegrams of January 12 and 16, respectively.

This protocol was described in my dispatch, No. 495, of the 8th instant. It is being printed with the minutes of the meetings of the plenipotentiaries, and will be transmitted as soon as it can be obtained.

On the 16th instant each foreign minister received from the Chinese plenipotentiaries the protocol which we had prepared, duly signed and sealed; a copy of the decree accepting our demands, bearing the imperial seal, and a memorandum containing various suggestions and questions concerning our demands, by the Chinese plenipotentiaries. I inclose copies of translations of the decree, the memorandum, and the brief notes transmitting them. The foreign representatives are to meet on Tuesday, the 22d instant, to determine upon the replies to make to the inquiries and suggestions of the Chinese. The latter have totally misconceived the meaning of the final clause of our demands, if they expect the withdrawal of the troops upon the simple acceptance thereof. They must proceed in good faith with the execution of them. We ought, as soon as possible, name the persons and the punishments which must be inflicted, and insist upon their immediate accomplishment. We can not, of course, determine absolutely just what particular persons the Chinese Government is able to execute, but I feel quite sure that the death of all of those heretofore mentioned, except possibly Prince Tuan, Duke Lan, and General Tung Fu-hsiang, can be accomplished. I am further convinced that the prompt and severe punishment of a very few high responsible officials will have vastly more effect upon the Chinese than that of hundreds of lesser criminals. I shall, therefore, in accordance with what I understand to be your instructions, endeavor to have as many as possible of the leading responsible officials, whose punishment may be reasonably certain to be within the ability of the Government, selected, and their punishment demanded.

As to article fifth, concerning the prohibition of arms and materials used exclusively in the manufacture of arms and ammunition, I think a general reply may be made to their suggestions that the limit of the period for its enforcement must depend upon the ability and willingness exhibited by the Chinese in restoring and preserving order, and in the protection of foreigners and their interests, and can not be fixed at present, but the Chinese Government may be assured that the powers have no desire to unnecessarily continue the prohibition.

Their requests to have named the points for military occupation between the capital and the sea, and the number of legation guards, may be replied to in the same general way, to wit, that it is not possible to definitely fix them now, but that it will all depend upon the ability and action of the Chinese Government.

Information concerning the forts to be destroyed and the size of the legation quarters can be furnished as soon as determined upon. The military commanders have been asked to furnish a report upon both these questions.

The matter of reforming the Tsungli Yamen, and the changes to be made in court etiquette, ought to be arranged without trouble.

The several Imperial decrees demanded should be issued at once. This done, and the punishments accomplished, the general forces might be withdrawn from Peking, and negotiations as to indemnity and consequent adoption of financial measures proceeded with. The revision of the treaties can wait until other matters are out of the way.

My colleagues do not all agree with these views, but I will report result of conferences as they occur.

I have, etc., E. H. CONGER.

[Inclosure 1.]

Prince Ching and Li Hung-chang to Mr. Conger.

No. 207.] PEKING, *January 16, 1901.*

On the 7th of January we had the honor to receive a communication from the doyen of the diplomatic body in which he stated that the foreign ministers charged him to acknowledge receipt of our communication of the 30th December, containing the decree by which His Imperial Majesty accepts in their entirety the twelve articles of the note which was delivered to us on the 24th of the same month; that the foreign plenipotentiaries take note of this acceptance and direct him to send to us the protocol herewith, in order that it may be signed by us.

In reply we beg to state that we have duly signed and sealed the protocol, and now return a copy for your excellency's keeping.

[Inclosure 2.]

Prince Ching and Li Hung-chang to Mr. Conger.

No. 208.] PEKING, *January 16, 1901.*

YOUR EXCELLENCY: On the 7th of January we had the honor to receive a communication (from the doyen) in which we are requested to send to each legation an authentic copy of the decree bearing the imperial seal. In this matter the Imperial act will have received its due formality, etc.

We at the time memorialized the Emperor by telegraph for His Majesty's information. We have now the honor to send your excellency a copy of the decree issued on the 27th of December, 1900, which was duly sealed with the Imperial seal on the 14th instant, for your keeping. We may explain to your excellency that the seal

used on the imperial mandate issued to us some time ago was the Chih Ming Chih Pao, the seal employed to stamp decrees issued to Chinese Government officers. The imperial seal used on the decree in the present instance is the Emperor's seal, the one employed to stamp announcements made to friendly powers.

[Subinclosure.]

Translation of Imperial decree.

On the 27th of December, 1900, the following decree was issued:

"We have duly perused Prince Ching's and Li Hung-chang's telegram, and it behooves us to agree to the whole of the twelve articles."

[Seal of the Emperor.]

KUANG HSÜ, *26th year, 11th month, 24th day (January 14, 1901).*

[Inclosure 3.]

Prince Ching and Li Hung-chang to Mr. Conger.

No. 209.] PEKING, *January 16, 1901.*

YOUR EXCELLENCY: On the 7th of January we had the honor to receive from his excellency Mr. de Cologan, doyen of the diplomatic body, a communication in which he says that as soon as the foreign plenipotentiaries shall have received the decree, duly sealed with the imperial seal, and the protocol with our signatures they will hasten to indicate the earliest possible date for the meeting which we have requested. Further, they will be gratified if we will before that meeting make known in writing the questions which we desire to propound, in order that an understanding as to the replies to be made can be agreed upon, etc.

In reply, we would beg to observe that we already, in obedience to the imperial decree, signed the protocol, which we transmitted to your excellency under a separate cover.

We now have the honor to inclose a paper embodying the questions in detail which we propose to submit, which we beg you will make note of, and to say that we hope that an early date will be fixed for the commencement of negotiations, so that they may be discussed verbally.

[Subinclosure.]

Memorandum regarding the Joint Note.

On the 24th of December, 1900, we received and perused the treaty, in twelve articles, drawn up, after joint consultation, by the foreign ministers plenipotentiary. This document affords ample evidence of a genuine feeling of friendliness on the part of the powers toward China.

Each article therein contained was by us telegraphed to the Emperor, and his majesty thereupon issued a decree by telegraph, stating that it behooved him to accept in their entirety the principles laid down in the twelve articles submitted.

Later on, on the 7th of January, we received a protocol from each of the foreign ministers, together with a communication from Monsieur de Cologan, requesting that prior to the next conference we put forward in writing the points which we might wish to discuss, so that the plenipotentiaries could arrive at an understanding with regard to the answer to be made to us on the occasion of our meeting.

We accordingly, in compliance with the terms of the original Imperial mandate, have appended to the protocol transmitted to us our signatures and signs manual, and returned the same.

As China has complied with and signed the treaty presented by the foreign representatives, to the satisfaction of the powers, the forces at present in occupation of Peking and the province of Chihli should, in accordance with the terms of the final clause, of course, be withdrawn. It is of essential importance that, pending their withdrawal, hostile operations should cease, movements of troops be suspended, and no further military expeditions proceed into the different department and district cities and towns, harrying the country, and exciting alarm among the populace.

In the annexed memorandum we set forth the points we wish to disscuss, going minutely into the details of each paragraph.

ARTICLE I. The case of the German minister, Baron von Ketteler, action as therein laid down will be taken.

ART. 2. The Imperial decree of September 25, 1900, herein cited, already provides for the punishment of the princes and other high officials concerned. As, however, the note still pressed for severer punishment, it is, of course, our duty to address to the Throne a request that they be punished with additional severity—the punishment, as stated in the article, to be "in proportion to their crimes." The article further calls for a suspension of all official examinations for five years in all the cities and towns where foreigners have been massacred or have been subjected to cruel treatment. With regard hereto we would observe that the cities and towns in each prefecture, subprefecture, department, and district are very numerous. It will be necessary to ascertain in what cities and towns foreigners have been massacred or subjected to cruel treatment, when, of course, action as laid down will be taken. This provision evidently applies to the Sui and Ko examinations. (Annual examinations for students—hsiu-tsai's or licentiates—held in the various prefectural and district towns by the literary chancellor of the province.) As regards the provincial and metropolitan examination, these are collective examinations for each province. Should there be in a province cities or towns where foreigners have been massacred or subjected to cruel treatment, separate inquiry as above mentioned ought to be made and action taken accordingly. In other cities and towns not in any way implicated examinations ought to take place as usual. Such course of procedure will serve us as an exhortation and warning.

ART. 3. In the case of Mr. Sugiyama, chancellor of the Japanese legation, action as therein laid down will be taken.

ART. 4. Monuments *re* the graves of missionaries. Action as laid down will be taken.

ART. 5. Maintenance, under conditions to be settled between the powers, of the prohibition of the importation of arms, as well as of material used exclusively for the manufacturing of arms and ammunition. We would point out that in the interior of China local banditti are to be found everywhere, and, what is more, they carry firearms and weapons of a similar nature, mostly clandestinely imported from abroad. Unless the Chinese soldiers told off to hold them in check are armed with efficient weapons, it would be difficult to maintain order; and should these banditti create disturbances and make trouble, traders and others, Chinese or foreign, can hardly avoid being injured thereby. We would accordingly request that some fixed term of years be agreed, upon the expiry of which purchases as heretofore would be allowed. Material for the manufacture of the munitions of war consist of many different kinds, and as far as those which are indispensable for governmental use are concerned, the Tsungli Yamen ought, on giving notice in writing, to be permitted to purchase the same as occasion requires.

ART. 6. China shall adopt financial measures acceptable to the powers for the purpose of guaranteeing payment of the indemnities.

In assessing the indemnities China's resources must, in our opinion, be taken into account, and a broad and comprehensive grasp of the entire situation is imperative. Either some extended limit of time must be granted within which to make payment, or, after a careful review of the circumstances of the case, a reduction of the amount demanded must be taken into consideration. China's annual receipts and expenditures are well known to the powers, and the present indemnities constitute an extraordinary addition to her other liabilities. We therefore venture to express the hope that the neighboring nations will, with one accord, give their consent to the adoption of any measures which China may bring forward with a view to creating additional revenue, such as an increasing of the customs tariff, a raising of the mining duties, an universal postal system, the introduction of a stamp duty, all already in universal operation throughout other countries.

ART. 7. Maintenance by each power of a legation guard and the defense of the legation quarter in which Chinese shall not have the right to reside. As far as the guards are concerned we would earnestly beg that a fixed number be decided upon and minute regulations for keeping them under control be drawn up, so that they may not stir up trouble outside of their own lines. As regards the legation quarter, where does it commence and where does it end? Such yamens and public offices as are therein situated ought to be left as they are. A boundary line should be laid down so that notice to remove can be served to Chinese inhabitants of the proposed quarter.

ART. 8. Unimpeded communication between Peking and the sea. Investigation as to what forts impede such free communication ought to be made, and a decision as to ordering their demolition be arrived at.

ART. 9. Military occupation of certain points to be determined by an understanding between the powers for keeping open communication between the capital and the sea.

A preliminary consultation between the powers as to how many men of each nation are to be employed for the purpose, what the total number is to be, and what separate points are to be occupied, should take place, and the result be communicated to us. Further, the powers should draw up regulations for keeping the troops under control, so that no cause for alarm be afforded to the inhabitants in the country round about. Such troops shall be sent solely for the protection of foreign officials and merchants; they will have nothing whatever to do with Chinese territory or Chinese travelers.

The Chinese Government will continue to take every precaution to insure the protection of foreigners, and on no account furnish them with cause to apprehend a severing of communications between the capital and the sea. If, after the lapse of a year or so, and a review of the circumstances of the case, the powers shall have found that China's protection has proved effectual, the question of withdrawing the foreign troops of occupation might be taken into consideration.

ART. 10. The responsibility on the part of all provincial officials, civil and military, high and low, of affording protection to foreigners, in their respective jurisdictions, and their permanent removal from office in the event of their not immediately suppressing any antiforeign disturbances which may break out, or their failing to punish the guilty. The territorial authorities of China, as a matter of fact, have on repeated occasions had their responsibility as regards the protection of foreigners impressed upon them by imperial decrees. Should, therefore, hereafter any disturbances break out resulting in loss of foreign life, or in bodily injury to foreigners, those concerned must, of course, be severely dealt with in accordance with law. The recent troubles, however, are of a truth to be ascribed to lack of friendly feeling between Christians and non-Christians. While on the one hand these troubles afford ground for indicting past action, they on the other hand furnish a warning for the future, and emphasize the necessity of framing a policy whereby permanent mutual harmony between the two classes may be insured. In order to avoid the continual occurrence of cases arising out of religious differences, which render life to the people unbearable, and result in a never-ending list of impeachments as far as the officials are concerned, a special article should, after joint consultation, be drafted, embodying detailed rules conceived in a spirit of equity.

ART. 11. The Chinese Government will undertake to negotiate the amendments to the treaties of commerce and navigation considered useful by the powers, and upon other subjects connected with commercial relations.

Any amendments which the powers may consider useful are naturally put forward with a view to promoting their own interests and those of China in equal measure. To propose such as would curtail China's privileges, injuriously affect the means of livelihood of the traders, or decrease her customs revenue, would certainly not be the desire of the powers. China must naturally, therefore, undertake to regulate any amendments with respect to commercial or any other matters which will tend to secure mutual advantages.

ART. 12. Whatever modification of court ceremonial relative to the reception on the part of His Majesty the Emperor of China, of the foreign representatives, the powers may deem necessary, they should bring them up when the time comes, and then, after mutual discussion, arrive at a decision.

The above is merely a discussion of the purport of the note handed to us by the foreign representatives, in which discussion we have incorporated a detailed expression of our views. Nothing has been added to the note, nor altered therein. Should no objection be offered to this statement of our views, after it shall have been jointly considered by the foreign representatives, it should be appended to the original text of the note, and together the result form the basis of the treaty to be negotiated hereafter.

With reference to the last paragraph of the note, on the subject of the withdrawal of the forces in occupation of Peking and the province of Chihli, we would request that as speedily as possible the question of complete evacuation on the part of the troops stationed in Peking, Paoting, Tientsin, and Tung Chou will be taken into consideration, and a date fixed upon for carrying out the same. This does not apply to the legation guards at Peking, nor to such posts as it may be deemed necessary to establish between the capital and the sea to maintain free communications.

The palace precincts, city walls, public offices, storehouses, and granaries in Peking, Tientsin, Paoting, and other places at present held by them, should likewise all be handed back to the Chinese Government.

The friendly feeling toward China which animates the foreign representatives gives us an assurance that they will accede to this request, and take steps to have it complied with.

Mr. Conger to Mr. Hay.

No. 511.] LEGATION OF THE UNITED STATES,
Peking, China, January 26, 1901.

SIR: I have the honor to report that on the 22d instant the foreign ministers met and agreed upon the reply to be made to the "memorandum" of the Chinese plenipotentiaries, which was transmitted to them on the 24th instant. I inclose copy and translation. We followed the lines suggested in my dispatch No. 506, and I believe that to hold these matters undetermined will afford us a very effective weapon with which to induce the Chinese Government to make an early compliance with our demands, and to impel them to such action as will facilitate a favorable termination of negotiations.

The question of punishment was taken up at this meeting and continued on the 24th, but early in the latter meeting the sad news of the death of the Queen of England was received, and the meeting adjourned.

The British minister informed us on the 22d instant that his Government had instructed him to insist upon the death penalty for all persons mentioned in the decree of September 25, 1900, and for General Tung Fu-hsiang and Governor Yü Hsien. The names of Prince I, Tsai Lien, and Tsai Ying were mentioned in the decree, but none of us have any information concerning them, and therefore it was not deemed wise to demand any additional punishment for them. Prince I is already reported dead. The Russian, Japanese, and Belgian ministers and I believe it impossible at present to secure the death penalty for Prince Tuan, Duke Lan, or Tung Fu-hsiang, and therefore opposed making such demands. It is to be hoped that the British minister's instructions may be modified so that we may very soon unanimously agree upon the persons and punishments to be demanded. In connection with the punishments it has been decided to demand some sort of posthumous honors for the four proforeign members of the Tsungli Yamen, Hsü Ching-cheng, Hsü Yung-i, Lien Yuan, and Yuan Chang, and Li Shan, President of the Board of Revenue and Comptroller of the Imperial Household, who were summarily executed a short time before the arrival of the relief expedition. I tried to get Chang Yin-huan's name included in this list.

I have, etc. E. H. CONGER.

[Inclosure.—Translation.]

M. de Cologan to the Chinese Plenipotentiaries.

PEKING, *January 24, 1901.*

YOUR HIGHNESS AND YOUR EXCELLENCY: In acknowledgment of your dispatch of January 16, together with protocol signed by you, and the Imperial decree of the 27th of December, ultimo, under the seal of His Majesty, the foreign representatives have directed me to address to you the following communication:

It is stipulated in the note to which your highness and your excellency have affixed your signatures, and the clauses of which have been accepted as a whole by His Majesty the Emperor, that "Until the Chinese Government have complied with the above to the satisfaction of the powers, the undersigned can hold out no expectation that the occupation of Peking and the province of Chihli by the general forces can be brought to a conclusion." Your highness and your excellency seem to be of the opinion that, in signing the note and transmitting the Imperial decree, you have conformed sufficiently to the conditions which have been imposed, and that you are now in position to formulate several desiderata. Such is not the scope of the conditions which have been sent to you.

In order that the foreign representatives may hold that the Chinese Government has conformed, to the satisfaction of the powers, to the conditions imposed, acts are necessary, not mere formal acceptance. With this in view the foreign representatives beg to call your special attention to articles 2 and 10, respectively, which concern the punishment of the guilty, the publication and posting of edicts intended to repress and prevent disturbances against foreigners. You will very shortly be requested, in pursuance of the desire which you have yourselves expressed, to attend a meeting at which the demands of the Governments on these points will be clearly defined.

As to the wishes expressed by your highness and your excellency with reference to the military questions, the disposition of the foreign representatives to consider them will depend on the good will which the Chinese Government will manifest by their acts, its resolution to comply with the conditions which have been agreed to by His Majesty the Emperor.

I avail myself, etc.,

B. J. DE COLOGAN.

Mr. Conger to Mr. Hay.

No. 520.] LEGATION OF THE UNITED STATES,
Peking, China, February 5, 1901.

SIR: I have the honor to confirm your telegraphic instructions of the 29th ultimo, concerning indemnities. We have not reached this subject yet in our meetings, and in private conversations most of the ministers claim not to have received instructions. The German minister informs me that he thinks that his Government will not be willing to agree to a lump sum, nor will it agree to any scaling down of its claim. He says they have already expended about $45,000,000, and the amount is rapidly increasing. It is believed here (and the belief is shared by Sir Robert Hart, the Inspector-General of Custom) that China can pay from $250,000,000 to $300,000,000. But unless the settlement is made soon, or an agreement is made to scale down the claims, even this amount will be grossly insufficient.

The outlook, therefore, for a speedy settlement of the question of indemnities is not very favorable. It will be taken up as soon as the question of punishments is out of the way.

In connection with the subject of indemnities and in trying to devise every possible means of increasing the revenue, it is proposed to increase the custom duties. The import duties are now nominally 5 per cent ad valorem, but in fact are only about 3½ per cent. It is conceded by most of the foreign merchants that this tax might safely be doubled; but just what increase of revenue that would produce can not be definitely told. Some of my colleagues are in favor of arranging for this increase at once—i. e., with the settlement of indemnities; others think it should be taken up only with the subject of treaty revision, the latter claiming that if import duties were increased now for the special purpose of raising revenue to pay indemnities to foreigners, the Chinese generally would say and believe that we were paying our own indemnities to ourselves.

I should like to receive special instructions upon this question, if it has not been settled by telegraph before the receipt of this dispatch.

The question of the opium, salt, likin, and other taxes, as well as that of cutting off the rice tribute and enormous gratuities paid to the Manchus, and other means of increasing revenue, will all have to be taken into account and disposed of as best we can agree upon them.

I have, etc.,

E. H. CONGER.

Mr. Conger to Mr. Hay.

No. 527.] LEGATION OF THE UNITED STATES,
Peking, China, February 7, 1901.

SIR: I have the honor to say that a meeting of the foreign representatives with the Chinese plenipotentiaries was held on the 5th instant to give the latter an opportunity to be heard on the question of punishments, as set forth in our demands.

In order that all might agree to what should be said a brief indictment in each case was prepared for the doyen to read, copy of which I inclose. As the meeting was only intended for a verbal conference a copy of the indictment was not delivered to the Chinese plenipotentiaries.

They said it would be impossible to execute Prince Tuan or Duke Lan, but they would agree to their banishment for life to Turkestan. They said Prince Chuang would be ordered to commit suicide; that Yü Hsien would be executed; that General Tung Fu-hsiang had already been degraded, and that when it could be accomplished he would be more severely punished; that he is very popular in Kansu, and that any attempt to deal harshly with him would cause an uprising among the people, etc. * * *

As to the others, they insisted that their crimes were not so great or so well proven as those mentioned above, and hence some lighter punishment should be inflicted. Reply was made that even the least of the criminals deserved death, and, as that was the severest punishment which could be inflicted, the death penalty was demanded for all. They averred that it would be most difficult for the court to comply with our demands, and it was placing them in a most trying position, and begged the ministers not to create unnecessary difficulties for them. They did not hesitate to fix the main responsibility for the crimes committed on the same persons that we had named, nor try to shield the Chinese Government from its responsibility.

We had added the names of Chi Hsiu, a member of the Tsung-li Yamen and President of the Board of Rites, and Hsü Cheng-yü, formerly junior Vice-President of the Censorate, for reasons set forth in the indictment. These two men are now held in confinement by the Japanese forces in this city.

Much desultory conversation was indulged in between the Chinese plenipotentiaries and some of the ministers, but of little importance and without utility. We all had the impression, however, that so far as possible our demands would be complied with.

In the afternoon of the same day the foreign ministers met, and, after much discussion and with the general opinion that we should not give way further to the Chinese, finally unanimously agreed upon the persons and punishment set forth in the note herewith inclosed and which was sent to the Chinese plenipotentiaries.

The English minister, and the German and some others following, has been insisting upon demanding the death penalty for Prince Tuan and Duke Lan, but finally he consented that if in any way capital sentence could be recorded against these men, even if immediately commuted, he would agree to it. A Chinese formula was found which seemed to fit the case and which, it was believed, would be accepted

by the Court. Demand was made in accordance therewith. It was as follows, as will be seen by the note inclosed:

Prince Tuan and Duke Lan are sentenced to imprisonment awaiting decapitation, but if immediately after this sentence the Emperor desires as an act of grace to preserve their lives, they will be sent to Turkestan, to be there imprisoned for life, with no further commutation of punishment ever to be made in their favor.

For the present we accept the Imperial promise as to Tung Fu-hsiang. Prince Chuang's suicide will be accepted. For Ying Nien, Chao Shu-chiao, Yü Hsien, Chi Hsiu, and Hsü Cheng-yü the death penalty is demanded, and for Kang Yi, Li Ping-heng, and Hsü Tung, who are already dead, posthumous punishments. For the four members of the Tsung-li Yamen, Yuan Chang, Hsü Yung-i, Hsü Ching-cheng, and Lien Yuan, and Li Shan, formerly President of the Board of Revenue and Comptroller of Imperial Household, who were beheaded last summer because they actively opposed the criminal madness of the Government in its attack upon the foreigners, we demand posthumous honors, as per copy of note inclosed.

As soon as the French minister receives further information from the interior for which he is waiting we shall present another list of the provincial officials who were accomplices in or responsible for massacre or cruel treatment of missionaries and demand their punishment.

With reference to the demand for posthumous honors mentioned above, and as showing how eminently they are deserved, I inclose a translation of three memorials of Yuan Chang and Hsü Ching-cheng urging the Government to stop its efforts to exterminate foreigners, punish the responsible officials, and save the Empire. For this advice they were beheaded.

I have, etc., E. H. CONGER.

[Inclosure 2.—Translation.]

M. de Cologan to the Chinese plenipotentiaries.

PEKING, *February 6, 1901.*

YOUR HIGHNESS AND YOUR EXCELLENCY: The foreign representatives have informed you of the names of the persons who are particularly responsible for the crimes committed at Peking and the punishments which they judge proportioned to their crimes. They have listened to and considered the remarks you have presented upon this point. The object of this dispatch is to inform you of the definite resolution which they have taken on the subject, and without prejudice to those cases which will be brought to your notice later and which are in regard to those officials who have committed crimes in the provinces.

Your proposition with reference to the order which will be given Prince Chuang, to commit suicide is accepted.

In regard to Prince Tuan and Duke Lan the foreign representatives have adopted the following resolution:

"Prince Tuan and Duke Lan will be sentenced to be imprisoned awaiting their decapitation. If immediately after their condemnation the Emperor believes he ought to spare their lives, they will be transported to Turkestan in order to be imprisoned there for life, without any further commutation of punishment whatever being pronounced in their favor."

Ying Nien will be condemned to death. If Kang Yi were living he would be condemned to death. Being dead all legal consequences of such punishment will be decreed against him.

Chao Shu-chiao will be condemned to death. The foreign representatives agree with you as to the decapitation of Yü Hsien.

In regard to Tung Fu-hsiang the foreign representatives note the assurances which you have given them on the subject of the punishment to be inflicted upon him later.

They express the opinion that in view of the execution of this penalty he ought to be deprived of his command as soon as possible.

If Li Ping-heng and Hsü Tung were living they should be condemned to death. As they are dead, all legal consequences of such punishment will be decreed against them.

Hsü Cheng-yü and Chi Hsiu will be condemned to death.

The foreign representatives are of the opinion that the decrees promulgating these resolutions should be issued immediately. As to the executions, which should follow with the least possible delay, they expressly reserve to themselves the verification by delegates whom they will direct to be present at Peking or in the provinces.

You will appreciate the moderation of these demands, which show to what extent your observations have been taken into account. For the punishment of the murder of a minister, of a chancelor of legation, an attack of two months directed by the Imperial troops against the foreign settlements, the religious missions, and the representatives of the powers, the premeditated attempt to ambuscade all the foreigners on the road from Peking to Tientsin in order to massacre them, the execution of those high officials who have protested against the outrageous violations of international law in their memorials to the Throne, the criminal acts which have resulted in the death of numerous victims, the punishments demanded are a trifle.

In the name of all my colleagues I beg still further to again call your attention to the final clause of the note which has been delivered to you and the allusion to it in my dispatch which was given to you January 26, 1901.

It is indispensable that China grant immediately these first atonements if she desires that the foreign representatives be in a position to examine the military questions to which you have called their attention in your memorandum of January 16.

I avail myself, etc.,

B. J. DE COLOGAN.

[Inclosure 3.—Translation.]

M. de Cologan to the Chinese plenipotentiaries.

PEKING, *February 6, 1901.*

YOUR HIGHNESS AND YOUR EXCELLENCY: I have already informed you of the resolutions adopted by the foreign representatives with reference to the persons more particularly responsible for the crimes which have been committed at Peking and the punishments which ought to be inflicted.

In the note which I sent you on that subject reference is made to the high officials of state who have been executed for having memorialized the Throne protesting against the outrageous violations of international law which have taken place in China during the past year.

I have to advise you that since an act of reparation and justice can only be made effective by the expressed assent of the Chinese Government, the foreign representatives have decided that Hsü Yung-yi, Hsü Ching-cheng, Yuan Chang, Lien Yuan, and Li Shan should be immediately restored to their former honors. You will be notified later on if there are any provincial officials who have been executed under the same conditions which were the cause of the adoption to-day of the resolutions which have been brought to your notice.

The foreign representatives therefore request that you will memorialize the Throne for a decree restoring the names of the five high officials which I have just given you at the same time as the decree for the punishments demanded by my note of to-day.

[Inclosure 4.—Translation.]

Indictment of certain guilty officials. Read by M. de Cologan to Chinese plenipotentiaries.

HIGHNESS, EXCELLENCY: I am about to have the honor to make known to you the decisions which the foreign plenipotentiaries have reached concerning the carrying out of paragraph *a* of Article II of the note accepted by a decree of His Majesty the Emperor of China.

These decisions apply to the culprits who I am about to enumerate, adding to the name of each one of them an abstract of the responsibilities which they have incurred.

Prince Chuang has been officially commander in chief of the Boxers; has performed from the 21st of June the duties of prefect of police; has consequently the principal share of responsibility in the publication of the notice bearing the seal of the prefecture which promises rewards therein of between 30 to 50 taels to Chinese who shall capture foreigners alive (men, women, and children), and which punishes with death whoever shall protect foreigners. He has furnished their headquarters in his own palace, in which native Christians have been executed.

Prince Tuan has been the principal instigator of the Boxer movement, into which he has dragged the Chinese Government, persuading it that it was the best means of delivering China of all foreigners. He was appointed president of the tsungli yamen after having given this advice to the Chinese Government, and he is in particular responsible for the edicts which were made against foreigners between the 20th of June and the 10th of August, 1900. Among these decrees figures that of the 2d of July, the carrying out of which had for a consequence the massacres in the provinces, and especially in Shansi. He ordered his troops concurrently with those of General Tung Fu-hsiang to attack the legations.

He always opposed the advice given by various members of the tsungli yamen and by high mandarins looking to a cessation of hostilities.

He directed the party which secured the execution of four members of the tsungli yamen, of a minister, and of several other mandarins accused of being favorable to foreigners.

He is universally recognized as the author of the ultimatum sent on the 19th of June to the members of the diplomatic corps to convey to them the order to leave Peking in twenty-four hours.

He is also recognized as having ordered, even before the expiration of this delay, the firing on every foreigner in the streets of the capital.

He may be considered under this point of view as the principal author of the assassination of Baron von Ketteler.

Duke Lan was one of the official chiefs of the Boxers, in whose name he made several proclamations, exercised the functions of the vice-president of police, and took part in that capacity in the publication of a decree promising rewards to Chinese who should capture foreigners alive, (men, women, and children), and which punished with death whoever should protect foreigners. He is also considered as having been one of the first to open the gates of the city to the Boxers, whom he went out to meet.

Ying Nien. He was, like Chuang and Lan, one of the official chiefs of the Boxers, and signed in that capacity their principal notices. He as vice-president of police rendered himself accomplice of the criminal machinations of this administration, and took considerable part in the antiforeign movement.

Kang Yi. He was one of the instigators and counselors of the Boxers, whom he always protected at court, and to whom he was particularly instrumental in securing complete liberty of action. He showed himself to be one of the officials the most hostile to any understanding and to the reestablishment of peaceful relations with foreigners. Sent at the commencement of the month of June to meet the Boxers, under pretext of deterring them from entering the city, he, on the contrary, encouraged them to follow up their work of destruction, and became, like Duke Lan, Prince Tuan, and Ying Nien, one of their official chiefs. He signed in this capacity their principal notices. He prepared a plan of expulsion and annihilation of foreigners in the provinces of the Empire.

Chao Shu-chiao was, as member of the Grand Council and minister of justice, and as a result of the considerable influence which he wielded in the councils of the Throne, one of the leaders of the undertaking against the foreigners. He urged the Chinese Government to leave perfect freedom of action to the Boxers and to furnish them means of action. He has special responsibility for the execution of the officials killed during the siege for having tried to stop the attacks against the legations. He went at the beginning of June to meet the Boxers, to whom he promised his help, freely tendering them his encouragement.

Yü Hsien brought to life again and reorganized the society of Boxers; is the author of the massacres in Shansi, assassinated with his own hand foreign missionaries, made himself noticed by his cruelty, and vaunted himself of his crimes, which stained with blood the whole province of which he was governor-general.

Tung Fu-hsiang prepared with Prince Tuan and carried out at Peking the plan for the annihilation of the foreigners in China, commanded the attacks which his troops, united with the Boxers, made against the legations. His soldiers assassinated the chancellor of the legation of Japan.

Li Ping-heng used his influence to have the Boxers recognized as a loyal and patriotic sect, and led the Government to use them with the object of exterminating all foreigners.

Intrusted with a special mission in the valley of the Yangtze, where he had been sent as an Imperial commissioner, he appears to have prepared a plan for the annihilation of foreigners in that region.

He besieged from the 27th of July the legations with the troops which he had brought from Kiang-su, and later on he fought against the allied armies marching on Peking.

Hsü tung has always been one of the officials the most hostile against the foreigners, of whom he advised the extermination. He associated himself with all measures destined to attain this end. He praised the Boxers, of whom he never ceased to be the accomplice, and whom he supported with all his influence as a high personage of the Empire and tutor of the heir presumptive.

Hsü Cheng-yu has the same responsibility as his father, in whose counsels and acts he constantly participated; furthermore, he is the principal author of the execution of the officials who had endeavored to stop the attacks against the legations.

Chi Hsiu was one of the officials the most hostile to foreigners, and used all his influence as member of the Tsung-li Yamen and as minister of rites in the service of the Boxers. He associated himself with those of his colleagues who used bloody reprisals against the party which disapproved the attack of the legations.

The foreign plenipotentiaries have decided, in accordance with the terms of the note which they handed your highness and your excellency, that they would ask for all the personages whose responsibility I have briefly stated "the severest penalty in conformity with their crimes."

You will understand after the explanations which have just been given you that these personages deserve death.

When this question shall have been settled, the foreign plenipotentiaries will have to indicate to your highness and your excellency the names of the officials who, to their knowledge, have committed crimes in the provinces, and the punishments which shall be inflicted on them.

I must, furthermore, at the present stage, beg your highness and your excellency to please communicate to us before its publication, and to prevent all misunderstanding, the text of the edict referred to in article 10 of the collective note, and which are to be promulgated to prevent or repress antiforeign manifestations in the Empire.

[Inclosure 5.]

First memorial. Secret memorial by Yuan-ch'ang denouncing the Boxers, date probably between June 16 and 20, 1900.

Memorialist begins by stating that since the Boxer outbreak inside the city on June 13 daily audiences have been summoned of the advisers of the Throne, and the Empress Dowager, in anxiety for the welfare of the State, has addressed questions to them, to which this memorial is Yuan-ch'ang's answer.

He traces the origin of the "I-ho-ch'uan" to a society of the same name composed of Shantung and Honan brigands which was suppressed by Imperial orders in the reign of Chia-ching (1808), together with the Eight Diagrams' Society, both offshoots of the White Lily Society. The governor of Shantung, Yuan Shih-k'ai, in a statement prepared last month in obedience to Imperial instructions, said that there could be no question of encouraging the Boxers or of utilizing their services as soldiers. The seditious nature of this organization and the falsehood of their pretensions to invulnerability is demonstrated by the Ping-yuan Hsien case in Shantung some years ago, where an alleged descendant of the Ming dynasty and professor of magic arts was executed by Yü Hsien for stirring up excitement; by the test to which certain Boxers near Peking were put in 1894 when they offered their services to the Imperial troops as invulnerable men, and by their more recent disorderly proceedings and insurrectionary designs.

Memorialist refers to an audience he had of the Throne in December last, when the Boxers were creating disturbances in Shantung, on the pretext of their hatred of Christianity, on which occasion he denounced them as a heterodox and troublesome sect, and advocated their immediate suppression. Shortly after this Yuan Shih-k'ai took the matter vigorously in hand and restored order in Shantung, his forcible action making him the object of much abuse at first on the part of the ignorant literati of Shantung, who afterwards came to believe in him and approved his proceedings. The Tsungli Yamen had proposed to memorialize the Throne for instructions to Yuan Shih-k'ai, but finding that he had the work of suppression well in hand, they dropped the matter and did not present the memorial.

Unfortunately, however, as Shantung became quiet, the movement spread into Chihli, where the supineness and procrastination of the Viceroy Yu Lu developed it into a great calamity. It is impossible for Yu Lu to escape a heavy responsibility for his want of foresight at the beginning. When Imperial officers were killed at Laishui, Yu Lu saw that the Boxers were using the anti-Christian feeling as a cloak for rebellious actions, and telegraphed a memorial strongly urging that they should be dealt with by force of arms; but opinions at court were divided and no decision was taken. The impunity accorded to them emboldened the Boxers, and they seized Cho Chou, Yungching, and Pachou in succession; they destroyed the railways and telegraphs which are the property of the State and worth millions of money; and they burned hundreds of missions and massacred the converts, rendering the Government liable for huge indemnities.

As regards the accumulated feelings of hatred which exists between the converts and the people, the local authorities, in obedience to the laws of the realm ought, as a matter of course, to be impartial in their decisions, looking only to the merits of the case and not making distinctions between ordinary people and converts. They should on no account allow ruffians to take the law into their own hands and redress their own grievances. As it is, these rebels have had the audacity to invade the capital, and there they are burning missions, attacking the legations, destroying everything they please, shooting people, and alarming the palace. On the 16th instant they destroyed by fire houses of over a thousand families outside the Ch'ien Men, burning and pillaging completely the most wealthy and prosperous quarter of Pekin. Nine out of ten families have had to quit their houses and flee; all shops are closed; there is no money to pay the army; and everywhere is decay and ruin; and China is a laughing stock to other nations.

Memorialist next refers to the legation guards, only some 400 in number, which he declares were brought up for self-protection on account of genuine apprehension of violence from the anti-Christian Boxers. On the 12th instant the privy councillor, Ch'i Hsiu and other ministers of the yamen went by command of the Empress Dowager to convey a reassuring message to the legations and to inquire for the wives of the ministers. The ministers, accepting with gratitude the gracious greetings of the Throne, declared that the bringing up of the foreign troops was for the protection of their lives, and had absolutely no political bearing; and they solemnly swore that as soon as the trouble was over the troops would be withdrawn. Memorialist submits that the only way to prevent reenforcements from coming up is to clear the Tartar City of Boxers, and thus restore peace to the people and confidence to the foreigners, China must kill these rebels herself if she does not want foreign troops to assist her to kill them.

Memorialist proceeds to develop the remedy he proposes. The present failure to deal with the situation is due to a want of concentration in the command and the shirking of responsibility from one authority to another. He begs that the Grand Secretary Jung Lu may be invested with full discretionary powers to restore order. Proclamations should be issued that all rioters wearing red sashes and turbans, or carrying weapons, setting fire to houses, or killing people may be put to death if they offer resistance. Heavy rewards should be offered for the capture of Boxer chiefs or others, dead or alive. Jung Lu should direct operations from a central position and should have officers appointed to carry out his orders in detail. For this purpose memorialist recommends:

Fan Tseng-hsiang, Kuei-Ch'un, Wang T'ing-hsiang, Huang Kwei-chun, and Ch'en K'uei-lun, acting governor of Peking, all of whom he speaks in high terms.

Selected officers and soldiers from the Wu-wei army should be divided into companies of 200 or 300 each for the work of restoring order. The three south gates of the Tartar City should be closed to incomers and the streets and temples cleared of Boxers. Intelligent officers should be selected by the gendarmerie and the board of punishments to take evidence shortly in cases of arrests, whereupon ringleaders should be executed upon the spot and followers deported. When order is restored Jung Lu should send in a memorial reporting the number of Boxers put to death.

Dealing with the objection that the Boxers are too numerous to be exterminated, memorialist remarks that if only the leaders are caught and decapitated the courage of their followers will immediately evaporate. He ridicules their alleged possession of magic arts and invulnerability, referring to rebels with similar pretensions in the Han and Mongol dynasties who were eventually beheaded; also to the number of Boxers killed by the foreign soldiers on the evening of the 13th, and to the 40 Boxers killed in the Shuai-fu lane. (Allusion is to the joint British-American and Japanese raid on a Boxer temple on June 16.)

In conclusion memorialist again lays stress upon the absolute necessity of drastic measures in dealing with the Boxers. The power of foreign nations is great, their

resentment will be deep, and the vengeance they will exact will bring about an inexpressible calamity. Unless China takes the work of extermination in hand herself foreign troops will do it for her, which would lead to a great bloodshed in the capital, and eventually to the indiscriminate slaughter of good citizens and irremediable ruin. The Grand Secretary Jung Lu is a loyal and patriotic statesman, and if he is invested with the requisite authority he will soon succeed in solving the present difficulties in international relations.

Second joint memorial of Hsü Ch'ing-ch'eng and Yuan Ch'ang.

Memoralists venture to submit for the perusal of the Throne the following secret memorial setting forth without reserve their humble views on the present dissensions at home, aggressions from abroad, and daily increasing anarchy, and urging the policy of protecting the legations as the only means of preserving the Commonwealth.

Ever since the 24th of last moon (June 20), the day when the German minister, von Ketteler, was shot by Boxers who met him on the street, these brigands have been attacking the foreign legations. The Kansu army, under the command of General Tung Fu-hsiang, has lent the Boxers its support and has joined forces with them in a conspiracy of outrage. Innumerable inhabitants of the district round the legations have been involved in disaster on account of their proximity to the latter, and in the East City the private houses of officers have been plundered and almost entirely destroyed. Thus these brigands, as they made their hatred of Christianity a pretext for extending their depredations to the legations, so they have now made their attacks on the legations a basis for extending them to officials and people. It is certainly an unparalleled event in ancient or in modern times that a riotous army and a riotous mob should be let loose to wanton in the very capital of the country.

At the time when the brigands began their attacks on the legations everyone said that the latter would be razed to the ground in a day, and Tung Fu-hsiang several times reported that the legations had been totally destroyed. Now, after more than twenty days, only a paltry few of the foreign soldiers have been killed, while the bones and corpses of the brigands are lying scattered all along Legation street. They used to beguile people with incantations, boasting of magic arts which secured them against rifle and artillery fire. Where are these arts now? Several tens of thousand brigands have been attacking legations defended by about 400 foreign soldiers, and after over twenty days have not succeeded in breaking in. This is an exhibition of their skill forsooth. Are we now to rely on their valor as men of mere flesh and blood to secure protection against aggression?

But it may be said that the true I-ho-ch'uan (Boxers) are really able to render good service to their country, whereas the Boxers who quarrel, burn, and kill are all false Boxers who have joined the former. Then, since the union of the true and false members of this organization has resulted in such extreme disorder, and since the false members who have been allowed to join have committed every kind of outrage, it is evident that the true Boxers themselves are essentially a bad community.

Moreover, successive Imperial decrees have been issued strictly forbidding the prosecution of feuds by armed violence, arson, destruction, and pillage; and orders have been given to disperse the Boxers and expel them from the city. But these brigands treat such commands as idle words and continue to riot at their pleasure as before. True and false alike show contempt for the laws of their sovereign; all are senseless beasts, and their crime is unpardonable. The more they are conciliated the more numerous they become; the more influence is shown them, the greater grows their arrogance.

Memorialists requested in a former memorial that the Grand Secretary Jung Lu should be especially intrusted with the duty of employing methods of violence or of moral suasion as required, but their request was not granted. Now, however, that the disorders have reached so critical a pitch, they are bound at the risk of their lives again to set forth in trembling their humble opinions for the information of the Throne. They submit that according to the principles laid down in the "Spring and Autumn Annals" (Confucius), when two nations are at war, the envoy is not killed. By the international law of western powers a still greater importance attaches to envoys as the representatives of their nations. A slight to the envoy is a slight to his nation. If the Boxers are now allowed to attack and destroy the legations, and to succeed in killing the foreign ministers, the foreign powers will regard it as a gross insult, will unite their forces, and will fight to the death to obtain reparation. Though the number of foreign troops in Peking is limited, there is no

limit to the number of reenforcements that can be sent. For one nation to oppose all the nations is in the humble opinion of memorialists a matter not merely of victory or defeat, but of the existence or annihilation of the nation.

The Government of China has now been in relations with foreign powers for nearly sixty years, during which time the latter have been allowed to propagate their religions throughout the country. The converts have been in the habit of relying on the influence and support of the foreign missionaries to oppress their fellow-citizens, and it has been inevitable that there should be some officials who have put pressure on the ordinary people in the hope of avoiding trouble, with the result that the people in their resentment have become at enmity with the converts. But all this is due to faulty administration on the part of memorialists and other servants of the Crown, faults which have led to the present disaster. The guilt they have incurred is indeed serious. How can memorialists venture to allege that the enmity between Christians and non-Christians is entirely the fault of the people? To allow both sides to take into their own hands the redressal of their grievances is to impair the prerogatives of the State. Suppose, for instance, that in a village there was a quarrel between two families, and the juniors and servants in fighting out their dispute set fire to a neighbor's house and killed his gatekeeper, the heads of the families being unable to restrain them. In such a case the neighbor would certainly not address his compliments to the juniors and servants, but to the heads of the families. How could the latter reply that the matter did not concern them because the juniors and servants were beyond their control? This is taking a small matter to illustrate a great, but the principle involved in both is the same.

Another consideration is this: Among the religious systems of the Western nations one consists in the worship of "the Lord of Heaven" (Roman Catholicism) and one in the worship of "Jesus" (Protestantism). The Roman Catholic missionaries are called shen-fu (spiritual fathers) and the Protestant missionaries are called mu-shih (pastors). The Boxers make no distinctions between the religions, but call them both alike "the foreign religions." Again, Russia follows the religion of the Greek Church and Japan follows Buddhism. Neither of these nations has ever propagated their religions in the interior of China, but the Boxers are entirely ignorant as to which nation has missionaries and which has not, and speak of all who wear strange clothes and speak a strange language as mao-tzu ("red-heads"). They take pleasure in hunting them all down without discrimination, no matter what considerations of policy make it inexpedient, what considerations of right and wrong make it unlawful.

Consider, moreover, the position of the Chinese ministers abroad. They are all stationed at their posts in pursuance of Imperial commands. If the powers in uncontrollable anger on account of our killing their ministers were to begin killing our ministers in revenge, this would be nothing better than an exchange of swords for the slaughter of each other's representatives.

The Throne has just displayed its kindly feelings by sending vegetables, rice, and flour to the envoys. But the aforesaid brigands, relying on the support of their braggart general, continue their lawless attacks, and foreigners are led to suspect that the court is making a show of treating the legations with civility, while secretly screening their assailants. If it is said that the latter are not acting under orders, but are indulging in an orgy of cruelty of their own account, who will believe this?

Now, if the legations do not come to harm, when friendly relations are eventually resumed with the powers, the foreign ministers, having accepted the gracious kindness of the Empress Dowager and the Emperor, will not fail to give expression to their natural feelings of gratitude, and will explain that the trouble was suddenly started by the Boxer brigands before precautions could be taken, and was not due to any leniency on the part of the Throne. In this way they will be able to succeed in dispelling the suspicious fears of their governments; the difficulty being halved, the good results will be doubled, and it will be comparatively easy to restore the situation.

But if the legations fall and the envoys are killed, how will the outer world ever learn of the kindness and consideration displayed at this time by their Majesties the Empress Dowager and the Emperor? If we seek to explain matters ourselves to the powers, though we should speak with a hundred voices we should not succeed in excusing ourselves to their satisfaction.

At the present time the powers are massing their troops on the pretext of acting for China in the suppression of the brigands. The suspicious say that they are surreptitiously taking advantage of this opportunity to aim at usurpation, while those who believe them declare that they have no ulterior motives. Memorialists do not profess to have sufficient ability to fathom their intentions. But as for the Boxers, they are a lawless crew in every respect. They ought long ago to have been exterminated without waiting for the repeated requests of the foreigners, and still more without waiting for the foreigners to suppress them for us.

The humble requests of memorialists then are as follows:

Complete protection should be afforded to the foreign legations in order to facilitate the future restoration of the status quo ante.

Also, stringent commands should be given to General Tung Fu-hsiang to withdraw the whole of his Kansu army ontside the city, and to forbid his troops again approaching Legation street, or joining with their friends, the brigands, in attacks upon the legations, on pain of immediate execution. If once the soldiers and the brigands were separated, the power of the latter would be reduced and the task of suppressing them rendered comparatively easy.

Also, memorialists have again to beg that Grand Secretary Jung Lu be intrusted with the task of expelling all Boxers from the city within a preseribed limit of time in order to rescue the country from an imminent peril, and that he should adopt measures for their complete extermination in order to prevent future calamities.

Memorialists are well aware that, the heavens being now darkened by a flight of locusts, disaster to themselves will follow their words; but they are filled with the thought of the crisis of life or death to the nation which is momentarily impending. Their own opinions are simple and insignificant. They can not bear to speak, and yet they can not bear not to speak. They therefore, regardless of their own lives, humbly submit this memorial for the perusal of their Majesties the Empress Dowager and the Emperor. (Undated. Evidently written between July 20 and 24, 1900.)

Third memorial by Hsü Ching-ch'eng and Yuan Ch'ang.

Memorial submitting to the Throne a secret statement of how certain high officials, by encouraging magic arts, have injured the country and brought calamity upon the people, and requesting that severe punishment may be inflicted upon the instigators of the trouble, in order to check the evil at its source and avert an impending peril.

It is now just over one month since the Boxer brigands started the disturbances. The capital is shaken by earthquake and the four seas echo to the shock. Armies have collected; disaster is ripening; the whole world has been dragged into the strife; events of a nature unparalleled in history have inevitably brought abont a calamity equally without parallel.

In the reign of Hsien Feng (1851–1862) the Fa Fei (long-haired rebels) and the Nien Fei (mounted banditti in the north) fought desperately for over ten years and overran more than 10 provinces. Still longer ago, in the reign of Chia-Ch'ing (1796–1821), the Chiao Fei (White Lily Society) seized three or four provinces and usurped control for three or four years, and reference to the military archives shows that at the time all the military forces of the Empire had to be exerted to the utmost before conquest could be effected.

But if we compare the troubles of the present day we see that all the former ones were diseases of the extremities, and not like the Boxer brigands, a disease that saps the very vitals. For in the case of the Fa Fei, the Nien Fei, and the Chiao Fei, everyone, from the Throne to the hamlet, knew that they were rebels; but in the case of the Ch'nan Fei (Boxers) of to-day, even high officials are deceived into looking upon them as patriotic subjects and refuse to call them rebels; or there are some who know they are rebels, but dare not treat them as rebels. Their folly is such that they have excited not only the enmity, but the derision of foreign nations.

When the Boxer brigands first set up their standard they had not the resources of guns and rifles, or of training in military operations. All they could do was to use the motto to "Support the dynasty; exterminate foreigners," as a rallying cry for hordes of worthless vagabonds, and to set disturbances on foot. Had there been a single magistrate or military officer of ability available, they might have been suppressed with the utmost ease. But first the evil was fostered by Yü Hsien, ex-governor of Shantung, and afterwards it was encouraged by Yu Lu, governor-general of Chihli, who snpplied the Boxers with arms, thus as it were giving wings to a tiger.

What is the explanation of the motto "Support the dynasty; exterminate foreigners?" If it means that men's minds are imbued with a sense of the abundant favors that have been showered upon them by our Government for over two hundred years, and that therefore all who eat the produce or tread the soil of China are bent on exerting their energies and making speed to show their gratitude for the Imperial blessing, then the expression may pass. But if it means that at this juncture, when the state is troubled, when the times are critical and full of difficulties, the uncultured masses have the power to give support in danger and to restore order, then we must remember that to support is the opposite of to upset, and that the power to snpport involves the power to upset. Thus the intention implied is only too evident, and the expression of it still more deserves the punishment of death.

Your memorialists, unworthy servants though they are, are well aware that the intrusion of foreigners into the interior is certainly not for the benefit of China. But it behooves us to reform the internal administration of the country and to attend to the consolidation of external relations; to see that we have a cause of quarrel before taking action; and to choose among the nations one which it is within our power to oppose, when at one stroke we can with dignity and composure avenge our accumulated wrongs.

If when a foreign oppressor was invading us there arise any who are able to display enthusiastic patriotism and insist upon the necessity of resisting to the death, no matter what the measure of their ability might be, memorialists could not venture to do aught but applaud their spirit. But at a time like the present, when the nation is actually in the enjoyment of friendly relations with the powers, to suddenly begin to speak of "exterminating foreigners" is to provoke a quarrel upon a false issue, and to become the laughing stock of the world.

Moreover, does the expression "exterminate foreigners" apply to the foreigners who are in China, or does it include the foreigners of every nation in the five continents? If it is only the foreigners in China who are to be exterminated, it is impossible to prevent others from coming in their place. And if it is all the nations of the world that are to be exterminated, then the foreigners are more than ten times as numerous as the Chinese, and it does not require much wisdom to know whether or not their extermination is possible.

Nevertheless, the wisdom of Yü Hsien and Yu Lu, both high provincial officers, did not reach as far as this. Yu Lu even invited the leaders of the Boxer brigands and treated them as honored guests. A rabble of hundreds of village ruffians and vagabonds had only to give themselves the style of I-ho-t'uan (the militia of patriotic union) to be immediately allowed to come in person into his yamen and to be treated by the governor-general with every mark of consideration. Was not this a slight to the throne and an insult to all the scholars of the Empire?

Chang Te-ch'eng, Tsao Fu-t'ien, and Han I-li, Boxers of Ching-hai Hsien, Wang Te-ch'eng, and others of Wen-an and Pa-chou, were all common local bullies, ruffians who defied authority and banded themselves together to make riots the plague of their districts. These men had been notorious for a long time; there was not a man in the country side who did not know their names, not even a resident in Peking who did not know them. The aforesaid governor-general brought them all to the notice of the throne in a public memorial, speaking of them in laudatory terms and recommending them for employment. Never was there so flagrant a case of deceiving the Sovereign.

Again, Yu Lu stated in a memorial that on the 20th day of the 5th moon (June 16) about 7 o'clock in the evening the foreigners demanded the surrender of the Taku forts; that the general, Lo Jung-kuang, stoutly refused to comply; that both sides remained firm until about midnight, when the foreigners opened the attack with artillery fire; that the general offered valiant resistance and succeeded in sinking two of the foreign ships at anchor; that on the 22d (June 18) the foreign soldiers in the Tientsin settlement advanced in different directions and offered battle; that the Chinese forces opposed them in every direction and supported by detachments of the I-ho-t'uan (Boxers) attacked them with the utmost vigor and burned a large number of houses in the settlement. Now the memorialists have made inquiries of refugees who have arrived at Peking from Tientsin, and these all declare that the sinking of foreign ships and the burning of foreign houses actually never occurred, but that the Chinese troops and Boxers were killed by the artillery of the foreign powers to the number of not less than several tens of thousands. Different voices all speak in the same sense; it is certainly not a mere lying rumor.

There are even some who say that the attack of the Taku forts by the foreign forces on the 16th of June was subsequent to the opening of hostilities by Yu Lu, who gave orders to the Boxers to attack the Tientsin settlement. This statement, however, may be merely the result of Yu Lu's unpopularity and can not be trusted implicitly.

At all events Yu Lu's lying report of military operations is exactly on a par with General Tung Fu-hsiang's false statement that the legations had been destroyed and the foreigners in them utterly wiped out.

Now Tung Fu-hsiang was originally a local robber of Kansu, who was forced by the pressure of poverty to offer his allegiance, and having rendered a certain amount of good service in his military career, was promoted from the ranks by the Throne and thus attained his present position. With what self-restraint and self-respect ought he to humbly seek to requite such generous and gracious kindness. Instead of which this bandit and traitor consorts with thieves and robbers, and continues to pursue his course of rebellious conduct. Not only does he show ingratitude for the Imperial favors, but his savage, wolf-like disposition gives cause to fear that he may bring about still further calamity.

Yu Lu has held several high territorial commands, and is not to be compared with a military officer like Tung Fu-hsiang. But nevertheless his folly and ignorance have reached a pitch which surpasses all expectation.

The truth is that both tried to fall in with the wild views of the officials at the court, which they wrongly considered to be inspired by their Majesties the Empress Dowager and the Emperor, and they were thus induced to turn round and relapse into sedition recklessly and unscrupulously. They were brought over, in fact, by the glozing deceits and hoodwinking devices of the present court officials.

The grand secretary, Hsü-T'ung, is by nature a fool, and has no knowledge of good and evil.

The privy councilor and assistant grand secretary, Kang Yi, associates with traitors and encourages rebels. He follows blindly and obstinately his natural disposition.

The privy councilor and president of the board of ceremonies, Ch'i Hsiu, is obstinate and self-opinionated, ignorant and yet fond of using his own judgment.

The privy councilor and president of the board of war, Chao Shu-ch'iao, is bent on cunning and deceit, and skillful in playing the sycophant.

At the time when the Boxers were entering the city, the princess, dukes, and other metropolitan and prominent officials were summoned to the Imperial presence and asked to pronounce for the policy of violent methods or of conciliation. Memorialists thereupon replied to the effect that the Boxers were not patriotic subjects, and could not be relied upon to defend their country; and that hostilities could not be lightly entered upon with foreign powers without due cause. Hsu-T'ung, Kang Yi, and others had the audacity, in the presence of the Empress Dowager and the Emperor, to stigmatize this language as seditious. Ah, if China's 10,000 well-sharpened blades were but equal to the task of conquering her enemies, would not memorialists' life-long desire be to have the whole of the latter collected in one place and to give the signal for their destruction? But if they are not, if these critics are but deceiving themselves and thus deceiving the country, the "seditious language," it is to be feared, is not on the part of your memorialists.

In the month of June, Kang Yi and Chao Shu-ch'iao received Imperial orders to proceed to Cho-chou and disperse the Boxers. The latter forced them to kneel, and offer incense, and used language full of slanders and falsehood. Chao Shu-ch'iao well knew that they were lying, but he only muttered his disgust to the members of his staff, and afterwards, finding that Kang Yi believed the Boxers to be possessed of supernatural powers, he did not dare to disagree. All they did was to issue a few hundred proclamations by way of fulfilling their mission, whereupon they reported to the throne that the Boxers had been dispersed. But if that was so, how is it that the Boxer brigands are now so numberless that they can not be exterminated? Why does the throne not hold these ministers responsible for the reckless falsehood of this memorial?

At the present moment Tientsin has fallen; and the foreign troops are gaining one position after another. So far the Boxers have not succeeded in preventing their advance by magic arts, and there is every reason to fear that within a fortnight they will be actually striking at the capital. If by any chance the Imperial temples should be alarmed by the shock or the people reduced to misery, what a terrible prospect. At the very thought of it the hearts of your memorialists are filled with distress; but Hsü T'ung, Kang Yi, and the others talk and laugh on the sinking ship, and possess their souls in peace as if they still relied on the ability of the Boxers to form a wall of defense. The whole court has been in a state of bewilderment, like drunken men or fools. Members of the Imperial clan—the Emperor's kinsmen and scions of noble families; men of high position—Imperial guardians and preceptors and privy councilors, almost all have worshiped the Boxers as supernatural beings. Even in the palaces of princes and dukes Boxer altars are said to have been erected.

The folly of the Boxers infected Hsü T'ung and Kang Yi with folly, and the folly of Hsü T'ung and Kang Yi spread to the princes and dukes. Thus Hsü T'ung and Kang Yi are the pivots on which the whole of the present extremity turns. If the Empress Dowager and the Emperor do not put the laws of the realm in force and publicly denounce and punish the high officials who were the ringleaders in encouraging the Boxers, it is to be feared that the whole of the court will be led astray on account of the Boxers, and all the high provincial officials who think to conform to the views of the court—not Yü Hsien and Yu Lu alone—will be befooled along with the court.

Alas! The ancestral altars which have blessed our land for three hundred years are to be staked on a single throw by mistaken statesmen in reckless belief in the Boxer cult. How shall the Emperor answer for it to the spirits of his sainted ancestors?

Your memorialists submit that the crisis is at hand; not a moment is to be lost. If the Boxers are not immediately exterminated, there is no excuse whereby to stop

the foreign troops. And if the leaders who screen the Boxers are not put to death, it will not be possible to exterminate the Boxers.

At the time when the Boxers began their operations they did not dare to disobey the commands of the throne to insult officials, to destroy Government property, to carry arms, and bring fire and slaughter on peaceful citizens. But when Hsü T'ung, Kang Yi, and the others called them patriotic subjects the prestige of the Boxers increased, the common people were led still further astray, and the assemblies of worthless vagabonds became more numerous.

If Yü Hsien last year had immediately suppressed these brigands, they would never have been able to spread into Chihli. If Yu Lu this spring had done his duty in checking them, the Boxers would never have been able to invade the capital. If Hsü T'ung, Kang Yi, and the others had not encouraged them with the title of patriotic subjects, these brigands would never have dared to commit such wanton excesses in the way of arson, pillage, and murder. Thus, if the calamity is traced to its source, it becomes clear upon whose shoulders the responsibility must fall.

It is the duty therefore of memorialists to ask for a decree in the first place sentencing to severe punishment Hsü T'ung, Kang Yi, Chi Hsiu, Chao Shu-ch'iao, Yu Lu, Yü Hsien, and Tung Fu-hsiang. The other high officials guilty of screening the Boxers, who held equally mistaken views with those of Hsü T'ung and Kang Yi, should all be punished as their guilt deserves, and the customary slight remission in deference to considerations of rank or of relationship should not be granted.

If this is done the Boxers, learning thus that the former latitude given to the Boxers in open hostilities was due to the error of these high officials and was not the policy of the Government, may, it is hoped, lay aside the quarrel and resume friendly relations, and the ancestral altars may escape disaster.

After this your memorialists beg that they may themselves be put to death, in order to appease the spirits of Hsü T'ung, Kang Yi, and the other high officers. So your memorialists will go joyfully to their doom.

This memorial is written with reluctance and many tears under the stress of an indignation and consternation which can not be contained. It is hereby humbly submitted for the perusal of Their Majesties the Empress Dowager and the Emperor.

JULY 24, 1900.

Mr. Conger to Mr. Hay.

No. 536.] LEGATION OF THE UNITED STATES,
Peking, China, February 16, 1901.

SIR: I have the honor to report that some time ago the question of a defensible legation was submitted by the diplomatic corps for advice and report to a commission of military officers composed of one from each of the military forces here.

A very full and comprehensive report has been made by the committee, copy of which I inclose. The diplomatic corps has as yet taken no action thereon.

While I think the entire area is larger than necessary or advisable, yet I do not deem it best to quarrel with my colleagues upon that score. But I shall, unless otherwise instructed, oppose adopting or beginning work on any system of defense at present. You will observe that the plan as prepared practically provides for a veritable fortress right in the midst of this great city, and directly adjoining the Palace walls. The plan, if carried out, will destroy a large area of private Chinese property, which ought to be paid for by someone, and the Chinese Government will never compensate the individuals for it. Many unnecessary and continuing expenses will be incurred, which somebody will have to meet.

In my judgment, all that is necessary now is to have in view, in locating and enlarging the legations, the possible necessity of repelling attacks and so locate them as to make defense as easy as possible, in case the necessity should ever arise.

The legations in Peking are not the only foreign interests in China which may be attacked. There are or will be foreign merchants, traders, engineers, and missionaries at many interior points, and these also deserve protection. It will be impossible to provide defense or even guards for every community of foreigners. Simply defending the legations will not make it safer for the foreigners who are building railroads in the interior or otherwise developing China. In case of troubles these interests will be the first attacked, and, profiting by past experience, the ministers will either have time to get away or provide for the requisite defense.

It seems to me the surest and most reasonable way to protect all foreigners is to require the most stringent treaty guaranties for the future and insist upon their being carried out rigidly everywhere. If the Empire is to be preserved with a government at all worth having diplomatic relations with, then it must be a government strong enough to protect the representatives of friendly powers in its capital from mob violence. If it can not do this, or if it is necessary for the foreign powers to defend their representatives against attacks of the Chinese Government itself, then it is not worth holding relations with.

Besides, if it shall ever be necessary to fortify it need not be done now. A long time must elapse before all the foreign troops are withdrawn from this province. In the meantime it is to be hoped that the Chinese Government will have returned here and exhibited such ability to preserve order as will make defense unnecessary; but even then there will be time enough to begin the work contemplated in the commission's report.

I inclose a rough map, showing the proposed location of each legation. After several consultations with General Chaffee I have concluded that the part marked U. S. A. will not be large enough for both the legation and guards. Therefore if Colonel Denby's property is purchased I would advise occupying the whole plot U. S. A. with the legation, and locating the guards on plot marked U. S. B. But if the Colonel Denby property is not purchased, then I recommend locating the legation on plot U. S. B. and placing the buildings and barracks for the guards on plot marked U. S. C. In this case we may be able to induce the Holland legation to move east next to the Russo-Chinese Bank, and so have our legation and guards together. But it is neither inconvenient nor undesirable to have them a little way apart.

I am reserving all this property until I can receive the Department's instructions. If the plot U. S. C. is taken for our guards it will necessitate changing the line of defense proposed by the military commanders so as to include this plot, but that can be done without danger, and the ministers will doubtless agree to it.

The Germans have already begun work upon the barracks for their guards on the plot of ground marked "German guards," which is a very considerable distance from their legation.

As soon as this matter is taken up by the foreign representatives I will report further.

I have the honor, etc.,

E. H. CONGER.

[Inclosure No. 1 with dispatch No. 536.]

Report of the military commission on the defense of the proposed legation quarter at Peking.

The accompanying plan shows the areas which the ministers of the powers represented in Peking propose to occupy for their respective legations; and the general line of defense to inclose this area is marked A. D. H. K. A. The ground marked W. X. Y. Z. is claimed by both France and Japan. The precise boundary requires to be determined by the ministers.

2. The southern boundary is the Tartar City wall, the occupation of which is considered by the military commission to be essential to any scheme of defense, and the portion of the wall occupied must project beyond the east and west fronts to admit of the necessary flanking fire. These projections are marked on the plan, and should contain emplacements to mount guns for flanking purposes and for sweeping the wall beyond the limits occupied.

3. The line N. O. was proposed for the west British limit and L. M. for that of the United States, but the Russian minister is unwilling to withdraw his front to M. W., consequently it becomes necessary to advance the whole west front of the line to A. D., and the open space necessary for defense will have to be provided by demolitions to the west of Gaselee road.

4. The German east front J. K. is now occupied by a Russian subject, and it is the unanimous opinion of the commission that it is necessary for defensive purposes, and to afford free communication to the front that this property shall be acquired by Germany, either by sale or exchange.

5. It is understood that the Chinese Government can not be expected to agree to the occupation by the allies of the Chien Men, or main central gate leading to the Imperial Palace, but if this gate is not occupied the ruined buildings over the outer and inner entrances which completely command the wall, should, from a military point of view, be razed to the general level of the wall, and reconstruction should not be permitted. The buildings are now practically destroyed by fire. The ramps which afford access to the gate should be removed.

6. It is considered desirable that the Hata Men should be included in the defenses, but the Russian representative is of the opinion that this is unnecessary. If not included the buildings over the gates should be leveled, as in the last paragraph, and a new gate constructed in the Tartar City wall near the center of the south face of the legation quarter; this gate should be preferably the water gate of the canal in the German quarter. The height of the opening would require to be raised so as to admit of a roadway over the canal without interfering with the drainage. The opening should be arched so as not to interfere with free communication along the top of the wall. The eastern ramp leading to the wall above the Hata Men should be dismantled, but if the gate is not occupied both ramps should be removed.

7. Cross trenches through the top of the Tartar City wall, 5 to 7 meters wide, and about 3 meters deep, should be made outside each end of the portion occupied in the wall. These trenches should be aligned and graded so that they can be swept by fire from other points in the defenses, P. Q., R. S.

8. It is essential that there should be a clear zone or glacis round the defenses on the west, north, and east sides, and the commission considers that the minimum width of this space should be 150 yards (about 140 meters), but where possible it is desirable that this width should be increased. The Russian representative considers that it would be best on the west side to clear the whole space up to the wall of the Imperial City, and this was unanimously agreed to. It was also agreed that the Ketteler-strasse should form the limit on the east side. No building to be allowed against the outer side of the Tartar City wall or on the open space to the south of the wall.

The Chinese houses outside and near the Hata Men should be demolished, and there should be a distance of 100 meters clear of buildings to the west of the western limit occupied on the wall.

It should be very clearly laid down that all buildings on these glacis or open spaces are to be removed, and no new buildings should on any account be permitted; nor should materials, except for military purposes, be stacked or placed on these glacis.

9. The whole area which it is recommended should be obtained from the Chinese Government is marked *a*, *b*, *c*, *d*, *e*, *f*, *g*, *h*, and the boundary should be indicated on the ground by masonry pillars.

The question of preventing access to the glacis or defenses having been raised, it was considered by the majority that iron railings were expensive and undesirable, and that the most suitable kind of a fence was one of barbed wire, which could be erected by each legation where considered necessary, the concurrence of the adjacent legations being obtained.

10. The commission considers that the outer south wall of the Imperial palace,

immediately north of Stewart road, must be demolished to give a sufficient open space at the northwest corner of the defenses.

Lieutenant-Colonel Shiba (Japan) suggested that as the Imperial City wall was used during the recent siege of the legations as an artillery position, it might be stipulated as a punitive measure that this wall should be reduced to one-half its present height. This would doubtless be a military advantage, and would admit of a reduction in the height of the legation defenses facing the wall.

11. It is accepted that the defenses can not take the form of a modern fortress, and should consist of defensible walls, protected or strengthened with earthwork, gun emplacements being provided at intervals. In addition to the flank defense from the Tartar City wall, each legation will have to arrange for the flank defense of its own area in consultation with the adjacent legations, and machine or quick-firing guns will be reqnired for flanking fire.

12. The minimum height of the walls forming the defensive line should be about 3½ meters, earth protection in front of the walls being considered advantageous. It is desirable that the ditch should have a minimum width of 5 meters and a depth of not less than 2 meters, provided that this admits of proper drainage so that water may not stagnate in the ditch. If the necessity of providing for drainage does not permit of excavation to a depth of 2 meters the height of the wall can be increased and a glacis made so that the necessary depth may be obtained artifically. An obstacle in the bottom of the ditch is desirable. Raised roads outside the defenses should either be cut down or the outer sides be sloped off in the form of a glacis.

13. A covered way with earthern parapet carried on arches should be constructed across the canal near T to connect the British and Japanese legations. Further details of construction to be left to the nations concerned.

14. It is proposed that the front between the canal and F should be constructed and defended by Japan, whose soldiers played so important a part during the recent attack on the legations, and who would otherwise hold no portion of the front line. This front forms the northern boundary of the proposed international public garden, and it is further proposed that Japan should build and hold the left flank defenses of this garden facing the canal. For this arrangement to be efficient Japan must be afforded communication from the rear to all parts of these fronts.

15. The Japanese troops would, as far as possible, form a general reserve for the eastern part of the legation quarter. When necessary, and if possible, Russia would assist in the general defense of the western portion.

16. The legation guards tentatively proposed by the military representatives of the powers for each national quarter are as follows:

Nation.	Men.	Guns.	Howitzers.	Machine guns.
Austro-Hungary	250	*a* 2 to 4	.....	6 to 8
France	250	*b* 2	.....	2
Germany	300	*c* 3 to 4	2	6
Great Britain	*d* 200 to 250	*e* 4	*f* 2	4 to 6
Italy	150 to 200	*a* 2	.....	2
Japan	300 to 400	*g* 4 to 6	.....	*h* Some
Russia	350	*a* 2	.....	4
United States	100	*h* 2	.....	*h* 2 to 3

a Field guns.
b Two medium siege guns.
c Quick-firing field guns.
d This number may have to be increased in proportion to the guards of the other powers.
e Two quick-firing naval 12-pound guns and two 1-inch Vickers-Maxim guns.
f Six Howitzers.
g Two field guns.
h Not fixed.

17. The Spanish, Belgian, and Dutch legations bave at present no military guards, but it would appear fair, from a military point of view, that these countries should provide suitable guards. In the case of Holland, the commission is of opinion that unless a suitable guard is provided by that country the outer line of defense on the west front shonld be taken by the United States, in which case it would seem desirable that the Dutch legation shonld be located elsewhere.

18. The terminal station of the Paotingfu line is to be built outside the Tartar City wall, west of the Chien Men, and it is considered desirable that the space outside the wall between the Chien Men and Hata Men should be reserved for the terminus of the Peking-Tientsin line, on which railway communication with the coast depends. This would bring the station yard under the immediate defense of the legation quar-

ter, and would also, by the construction of a short connecting line, allow for the rolling stock of the Southern Railway being run into this station for protection, if necessary.

As railway communication is a matter of great military importance, it appears necessary that a stipulation should be made with the Chinese Government that the terminal points of the railway lines are always to remain within the Chinese City.

19. Aerial telephonic communication should be established between the various legations, and underground telephonic lines are also desirable.

20. Not less than three months' supplies should be maintained for the troops in Peking. There should also be a sufficient reserve of arms and ammunition.

21. It was proposed that the detailed arrangements for disposition of the troops defending the legation area should be drawn up by a commission of the officers in command of the legation guards under the senior officer as president, and that the senior military officer on duty in Peking should be in command of the whole during an attack. The Russian representative, however, stated that he will arrange for the defense of his own legation, and will work amicably with the other officers, but will not take orders from the senior officer of another nation; nor will he, if the senior, accept the command of the whole. The representative of the United States considers that this matter of command must be left for subsequent consideration.

The Russian representative considered that there should be a council of war composed of the senior officer from each of the eight legations providing the military guards. This proposal was generally concurred in. The French representative considers that it should be defined that the decision on general defense questions should rest entirely with the president, who will be the officer in chief command in time of war.

It was suggested that each nation in turn should appoint a senior officer, of not lower rank than lieutenant-colonel, for a certain period, as commandant in time of war. The period might be from one to three years, and this suggestion is offered for consideration by the ministers.

22. It is necessary to begin the defenses as soon as possible, so as to get the work well advanced before the return of the Chinese Government, and completed before the rainy season.

Signed at Peking, February 9, 1901.

Austro-Hungary:
WOGACK,
Captain, Headquarters Staff.

France:
VIDAL,
Major, Military Attaché to the French Legation.

Germany:
v. GEBSATELL,
Major, Headquarters Staff in East Asia.

Great Britain:
W. T. SHONE,
Colonel, Colonel on Staff Royal Engineers, President.

Italy:
HENRY DE CHAURAND,
Lieutenant-Colonel, Headquarters Staff.

Japan:
G. SHIBA,
Lieutenant-Colonel, Military Attaché to the Japanese Legation.

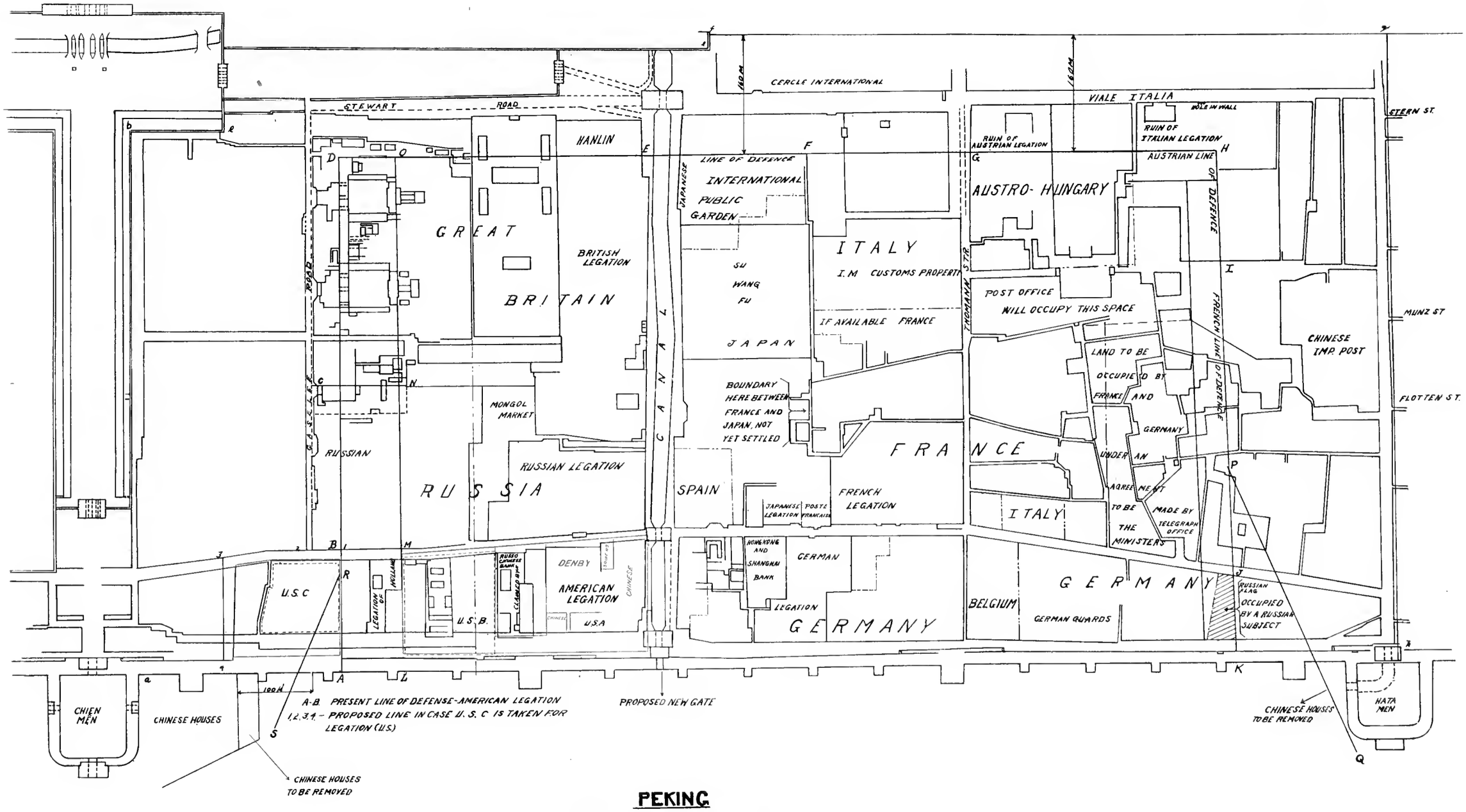
Russia:
NIEWIADOMSKY,
Lieutenant-Colonel, Commanding Russian Defensive Garrison.

United States:
H. H. FERGUSON,
First Lieutenant, Corps of Engineers, U. S. A.

Mr. Conger to Mr. Hay.

No. 538.] LEGATION OF THE UNITED STATES,
Peking, China, February 18, 1901.

SIR: I have the honor to report that on the 16th the question of indemnities was taken up by the foreign ministers and discussed gen-



PEKING
LECTION QUARTER

SCALE OF FEET (1/3760)

FEET 100 0 100 200 300 400 500 600 700 800 900 1000 1100 1200 1300 1400 1500 1600 FEET

COMPARATIVE SCALE OF METRES

METRES 100 0 100 200 300 400 METRES

NOTE:— LINES WHICH WERE DRAWN IN PENCIL ON ORIGINAL COPY ARE TRACED THUS. - - - -

SURVEYED BY MAJ. A.R. REYNOLDS, R.E., AND CAPT. A.H.B. HUME. R.E.
JAN. 1901

S Doc. 67 57 1

erally, developing the fact, which from private conversations was already evident, that there are nearly as many different opinions as there are ministers.

I suggested the adoption of a lump sum which should be within the ability of China to pay, and as this would evidently be not sufficient to pay the demands in full, each power would have to agree to a scaling down proportionate to their claims.

This does not meet with the approval of my colleagues. All say they have no instructions as to this method, and none of them, except the Japanese, seem really to favor it. * * * The German minister insists that China is able to pay the entire amount of all demands, and that his Government will require full compensation for all their expenditures and losses.

It is understood by all that the war indemnities or expenses must be fixed by the Governments themselves, but the information sought in the telegram confirmed herewith was deemed important by all of my colleagues. Some of them believe that special indemnities should be demanded for the legation guards who were killed or wounded during the siege, on the ground that they were here by consent of the Chinese Government. But if this rule should be applied, then it should also be extended to those killed and wounded in the column of Seymour and McCalla; and from these it is but a very short and hardly distinguishable step to all soldiers, sailors, and marines who were anywhere engaged in the expedition. It seems to me, therefore, that all soldiers, sailors, and marines should be treated alike.

You will note in the private claims sent you that all sorts of impossible demands are made. Without definite instructions I understand that the general practice of the United States in the matter of the presentation of private claims is that—

(1) Claims arising out of nonfulfillment of contracts with a foreign government are not usually pressed;

(2) That remote, consequential, or speculative damages or anticipated profits are not chargeable;

(3) That interest on claims is not allowable.

I also observe, in view of the plain agreement in our treaty, that China will defend our citizens from "all insult or injury of any sort;" that our Government has at times gone further in demanding indirect damages from the Chinese than it probably would have done without this treaty provision.

The question whether each legation should undertake to examine the claims of its own nationals, instead of having recourse to a mixed commission for the investigation of international claims, has been somewhat discussed, and it is the general opinion of the ministers that each legation or Government should investigate and pass upon the claims of its own people.

If this plan is adopted it will be necessary that some general principles upon which all private claims shall be based should be agreed to and followed by all the Governments. This question will be soon taken up for discussion.

I have, etc., E. H. CONGER.

Mr. Conger to Mr. Hay.

No. 540.] LEGATION OF THE UNITED STATES,
Peking, China, February 20, 1901.

SIR: On the 16th the foreign representatives received from the Chinese plenipotentiaries a note inclosing three Imperial decrees fixing additional punishments for the persons whom we had designated.

It was, however, very unsatisfactory. It did not in any way mention the demand we had made, and the decrees were apparently issued of the court's own motion, although from some things in them we knew our note had been previously received. They did not record death sentences against Prince Tuan and Duke Lan, as we required and as had been intimated to us by the plenipotentiaries could be done. They decreed only imprisonment for Chao Shu-chiao and Ying Nien, instead of death, and for Chi Hsiu and Hsü Cheng-yu they said severe punishment should be meted out after sufficient proof of guilt could, on investigation by Prince Ching and Li Hung-chang, be produced against them. The decree conferring posthumous honors upon the decapitated members of the Tsungli Yamen was most unsatisfactory. It charged them with crimes, and simply restored the rank of which they had been deprived by their punishment.

These are the usual Chinese methods, which we were unanimous in agreeing ought to be strenuously resisted. Believing that the court can and will execute the punishments demanded, we have repeated our demands in a note, a copy of which I inclose. * * *

I have, etc.,

E. H. CONGER.

[Inclosure 1.—Translation.]

Prince Ching, etc., Li Hung-chang, etc., have the honor to transmit to the doyen of the corps diplomatique for the information of his colleagues copies of the following Imperial decree issued to the grand secretariat on the 13th instant and received here through the grand council on the 14th instant.

[SEAL.] Chinese P. P. 15th February, 1901.

[Telegram from Shanghai, dated February 14, 1901, transmitting Imperial decree of February 13.]

[Telegram from the council of state.]

On the 13th of February, 1901, the following Imperial decree was issued to the Grand Secretariat:

Since the 5th moon the Boxer rebels have headed disturbances which have resulted in a breach of our relations with friendly states. Prince Ching and Li Hung-chang had now, in consultation with the Representatives of the powers at Peking, negotiated and signed a draft treaty embodying the principles on which peace shall be restored.

In reflecting on the causes which lie at the root of this calamity we find that they are to be traced in reality to the attitude of the princes and high ministers of state, who, in their crass ignorance and reckless and violent disregard for law and order, placed implicit trust in magic arts, brought pressure to bear on the court, and willfully disobeyed the decrees ordering the suppression of the Boxer rebels. Not only that, but they went out of their way to aid and lend their support to these scoundrels in their lawless acts of aggression and combat. As a consequence, a hellish conflagration broke out, and ten thousands of evil-doers banding themselves together in our immediate neighborhood, created a situation with which it was impossible to deal.

They further incited ignorant general officers and untrained troops to surround and attack the legations for a period of several months, with the result that a calamity of an unprecedented nature overtook the state, that the whole constitution of the nation was placed in dire peril, that our ancestral tombs and temples were disturbed, that the whole country was ravaged and plundered, and that our people grievously perished.

The circumstances of danger and distress, in which we and the Empress Dowager found ourselves, can hardly be spoken of. Our heart even now is sore and our head aches. Grief and resentment in equal measure fill our breast. And all this because the princes and ministers of state, by trusting to magic and meddling evil-doers, imperiled the shrines of our ancestors and plunged our people into misery. If they put the question (to themselves) what punishment is their due, how shall they reply?

We have already issued two edicts on the subject of their punishment, but we still feel that the penalties are light compared with the gravity of their crimes, and that the former do not suffice to atone for the latter. We therefore have again to mete out to them yet severer judgments in proportion (to their varying degrees of guilt).

Tsai Hsün, prince of Chuang, who has already been deprived of his rank, aided and encouraged the Boxer rebels to attack the legations. He, on his own responsibility, issued a proclamation, contrary to treaty, and lightly giving ear to the counsels of evil-doers, unjustly compassed the death of many. Of a truth is he clownishly fierce and grossly stupid. Let him be awarded the privilege of committing suicide. The president of the censorate, Ko Pao-hua, will proceed to his residence and see that this sentence is carried out.

Tsai I, prince of Tuan, who has already been deprived of his rank, was the leader of the princes and Imperial dukes who lightly put their trust in the Boxers, and with his wild statements was the principal director of the fighting which caused the trouble. It is of a truth with difficulty that he can exculpate himself.

Tsai Lan, an Imperial duke of the first order, degraded and transferred to another post, collaborated with Tsai Hsün in unauthorizedly issuing the proclamation contrary to treaty. He must also be punished. Let him be deprived of his rank and offices. In consideration of the fact, however, that they are our near relatives we will extend to them special favor. They are hereby sentenced to life imprisonment in the new dominion. An officer is to be deputed to keep them under surveillance in the first instance.

Yü Hsien, the governor who has already been deprived of his rank, when holding office as governor of Shantung, recklessly believed in the magical arts of the Boxers, and on coming to Peking extolled their virtues to such an extent that the princes and high ministers of state were carried away (by his misstatements). When governor of Shansi he ordered killed many missionaries and native Christians. More than the others is he marked out by his crass stupidity and fierce cruelty—a criminal of the deepest dye and one of the chief ringleaders. He has already been banished to the new dominion and ought by now to have arrived in Kansu. Let him immediately be decapitated. A copy of this sentence is at once to be transmitted (to those concerned) and the Provincial Judge Ho Tu-kun is deputed to see it carried out.

Kang Yi, an assistant grand secretary and president of the board of revenue, aided and abetted the Boxers, brought about the present disasters, and joined in the issue of the proclamation aforesaid. A heavy penalty ought to be inflicted on him, but he has already died a natural death; he is hereby posthumously deprived of his office and is to be forthwith stripped of his rank.

Tung Fu-hsiang, who has been deprived of his rank, while retained at his post as commander in chief of the province of Kansu, brought his troops to act as bodyguard to the Emperor, but did not maintain adequate control over them. He was further ignorant of international affairs and acted in an incoherent, reckless, and foolish manner. Although he surrounded and attacked the legations at the instigation of the princes and others, already degraded, he can not rid himself of culpability. Properly speaking, he ought to be severely punished, but in extenuation be it said that he has rendered most meritorious service in the province of Kansu and the Chinese and Mahometans render him cheerful obedience. As an act of extraordinary grace we only deprive him of his rank, such deprivation to take place immediately.

Ying Nien, president of the censorate, who has been lowered in rank and transferred to another post, attempted to dissuade Tsai Hsün from recklessly issuing the proclamation contrary to treaty, which is a point in his favor. But as he was not able to make his opposition effectual, he can hardly rid himself of responsibility. As an act of grace he is deprived of his rank and sentenced to imprisonment pending decapitation.

Chao Shu-chiao, president of the board of punishments, who has been deprived of his rank while retained at his post, was not ordinarily noted for any antiforeign proclivities, and when sent to investigate Boxer affairs did not put forward statements screening them. He is, however, guilty of culpable negligence. As an act of grace he is hereby deprived of his rank and sentenced to imprisonment pending decapitation.

Both Ying Nien and Chao Shu-chiao are in the first instance to be incarcerated in the gaol of the provincial capital of Shensi (Hsian).

The grand secretary, Hsü Tung, and the former governor-general of Ssu-chuan, Li Ping-heng, who was degraded and transferred, have already died for their country, but as their conduct has given rise to adverse criticism, they are both hereby deprived of their rank, and their posthumous honors conferred on them are canceled.

When this edict shall have appeased all states who are friendly to us ought to realize that the Boxer troubles really were the outcome of pressure brought to bear by the ringleaders, and that their actions were in no way whatever inspired by the court. In punishing the ringleaders we have not erred on the side of lenient protection, and all our subjects throughout the land—officials and others—will clearly understand that the issues involved in this matter are of the gravest.

Transmitted by the grand council to the 18 provinces.

Second decree of same date issued to Grand Secretariat.

Chi Hsiu, President of the Board of Rites, and Hsü Cheng-yu, ex-President of the Board of Punishments, are hereby deprived of their rank as a preliminary measure. I K'uang and Li Hung-chang are directed to find out what real proof of guilt exists against these individuals. They will then at once address a memorial to us on the subject, and the two officers concerned will be most severely punished.

Third decree issued by the Grand Secretariat.

The troubles which took place in the course of the fifth moon, and of which the Boxer rebels were the chief leaders, increased in violence from day to day. The court, being at a loss to know how to repress or to appease, on several occasions summoned the ministers to audience, in hopes that after they had weighed the circumstances of the case they would afford us an indication of the proper steps to take. We repeatedly addressed inquiries to Hsü Yung-i, President of the Board of War, Li Shan, President of the Board of Revenue, Hsü Ching-cheng, vice-President of the Board of Civil Office, Lien Yuan, Subchancellor of the Grand Secretariat, and Yuan Chang, a Director of the court of Sacrificial Worship, but the drift of their answers (was noncommittal), advocating two courses as equally practicable. The various ministers who constituted the ringleaders (of the Boxer faction) profited by this opportunity to bring false denunciations against them, with the result that they incurred the penalty of death.

When we consider, however, the long service of Hsü Yung-i and the others, and their capacity for dealing in a friendly spirit with international affairs, which they ordinarily displayed, their efforts may be described as meritorious, and as an act of grace we hereby restore Hsü Yung-i, Li Shan, Hsü Ching-cheng, Lien Yuan, and Yuan-chang to their original offices.

Let the board concerned take note.

[Inclosure 2.]

To Prince Ching and Li Hung-chang. Copy of note agreed upon by the Foreign Representatives.

PEKING, *February 18, 1901.*

YOUR HIGHNESS AND YOUR EXCELLENCY: I have sent my colleagues your note of the 15th instant and the three edicts which were inclosed with it.

The foreign representatives have learned that in these documents there is no allusion whatever to the decisions which they have made on the subject of the questions which are the object of the edicts mentioned below.

My colleagues have concluded that these edicts have been issued before His Majesty

the Emperor was made acquainted with the definite resolutions of which I informed you in my note of the 6th instant.

The foreign representatives have, therefore, charged me to request you to inform them as soon as possible as to what action has been taken with reference to the note that I sent you in their name, above referred to, the terms of which they can not recede from.

I avail myself, etc., B. J. DE COLOGAN.

Mr. Conger to Mr. Hay.

No. 542.] LEGATION OF THE UNITED STATES,
Peking, China, February 21, 1901.

SIR: I have the honor to confirm my telegram of the 18th instant and your reply thereto of the 19th, concerning the order of Count von Waldersee referring to the possibility of a resumption of military operations on a large scale because of the present conditions of peace negotiations, and to inclose a copy of the order as transmitted to me for information by General Chaffee.

There is little doubt that the order was intended as a bluff to frighten the Chinese into an immediate compliance with our demands, as it was given out that the operations contemplated a movement in force to Sian Fu, which is practically impossible and was never intended to be executed. But there has been a constant disposition upon the part of most of the military commanders to do something or go somewhere with their troops upon the flimsiest of excuses, so that during the winter a great part of this province has been gone over.

The probability was that under this order some kind of a movement would be made which might seriously disturb our present efforts at negotiation, frighten the court, make its return to Peking less probable, and jeopardize the final settlement. Having all joined in the peace negotiations, no single power has any right to pursue independent offensive operations. Such a course would disturb harmonious action and might at any time break the concert; therefore I have insisted with my colleagues upon the principle set forth in the following statement which I made to my colleagues in the meeting of the 18th instant:

It is currently reported that some of the military commanders are discussing the possibility of, and making preparations for, an early active resumption of military operations on a large scale, because of the present course of peace negotiations.

I do not desire in any way to criticise the military; but in view of the fact that all the governments have jointly entered into negotiations for a peaceful settlement, it is hardly competent for any of the powers to disturb the harmony, endanger the concert, or jeopardize the result of negotiations by resuming military operations without the consent of all.

I signed the joint note in which our demands were formulated under the express stipulation that it in no way committed my Government to further military operations. And the note was finally agreed to after the declared understanding that the last clause, which was added by our British colleagues, limited military operations to the occupancy of Peking and this province.

If this report as to proposed military movements proves true, and my colleagues are of the same opinion, I suggest that the ministers recommend to their respective military commanders or to their governments the postponement of any contemplated military operations until the arrival at such a stage in the peace negotiations as the governments agree will warrant their resumption.

I made this not so much as a protest against this particular proposed movement as against the assumed right of any independent action which might endanger the success of negotiations, and which several of the powers seem determined to exercise.

I have, etc., E. H. CONGER.

[Inclosure.—Translation.]

Army order of Count von Waldersee, general field marshal, dated February 15, 1901.

ARMY HEADQUARTERS IN EAST ASIA,
Peking, Winter Palace, February 15, 1901.

ARMY ORDERS.

Although the peace negotiations are still continued, their present course gives me cause to allude to the possibility of being obliged to resume very soon active military operations on a large scale. As a favorable season is approaching, I request that as soon as possible those arrangements and preparations be made which are necessary to assume the readiness of all forces toward the end of this month. First of all, it will be necessary to provide sufficient transportation means to enable the troops to take along a supply of ammunition and provisions for about eight days over difficult mountain roads.

Although the greatest part of provisions will probably be taken from the districts where the operations are going on, the conditions are not sufficiently known to rely upon this. It will, therefore, be necessary for the forwarding of the most necessary provisions to form and equip transport columns which are able to overcome considerable difficulties of the terrane.

COUNT VON WALDERSEE,
General Field Marshal.

Mr. Conger to Mr. Hay.

No. 552.] LEGATION OF THE UNITED STATES,
Peking, China, February 28, 1901.

SIR: I inclose copy of the final Imperial edict decreeing satisfactory punishments.

All the executions, except the two in this city, were to, and I suppose did, take place on the 24th, and the two here on the 26th.

Those at Sian Fu were to be verified by an Italian priest residing there, those in the city by the Japanese legation, and the others by an Imperial edict to be afterwards published, naming the place and time of each punishment and certifying that they were carried out as stated and witnessed by certain named officials.

It was thought by all the ministers that some of the most prominent provincial and local officials who were responsible for the murder, and, in many cases, torture of the missionaries, ought to be severely punished at the place of the massacres, in order to bring home to the people of the localities a realization of the enormity of their crimes.

I acquainted my colleagues with the President's views, and the probability now is that the death penalty will only be demanded for ten or twelve of the most guilty officials and degradation and perpetual prohibition from holding office for many others.

I have, etc.,

E. H. CONGER.

[Inclosure with dispatch 552.]

Translation of decree of February 21, 1901, received by Chinese plenipotentiaries from Grand Council February 22, 1901, and transmitted to Doyen on February 23, 1901.

In a late decree, dealing with those chiefly responsible for the recent misfortune, we meted out to them varying degrees of severe punishment.

I-K'uang (Prince Ching) and Li Hung-chang now report to us by telegraph that the note presented by the foreign plenipotentiaries calls for yet heavier penalties, and they pray that We take the matter into further consideration.

Leaving out of account Tsai Hsün (Prince Chuang), who has already been granted the privilege of committing suicide, and Yü Hsien, orders for whose immediate decapitation had been issued—officers in each case being deputed personally to supervise the carrying out of the sentence—We hereby decree as follows:

Tsai I (Prince Tuan) and Tsai Lan are to be imprisoned pending decapitation. Bearing in mind, however, the fact that they are our near relatives and having regard to the ties of kinship, We, as a special act of grace, commute this sentence to one of perpetual incarceration on the most remote frontier of the new dominion. Officers will forthwith be appointed to take them into custody and set out with them on the journey to their place of exile.

Kang Yi's guilt is characterized by features of exceptional gravity. His sentence ought to be that of immediate decapitation, but as he has already died a natural death, no further action need be taken.

Our previous decree sentenced Ying Nien and Chao Shu-chiao to imprisonment pending decapitation. They are now granted the privilege of committing suicide. T'sen Chun-hsuan, governor of Shensi, will himself supervise the execution of this sentence.

Ch'i Hsiu and Hsü C'heng-yu were recently deprived of their rank. The foreign powers having pointed out that they materially abetted the Boxer rebels and were noted for their antiforeign attitude, I K'uang and Li Hung-chang are hereby directed to apply to the powers for their rendition, and when this shall have been effected, immediately to decapitate them. The heads of the boards of punishments will see that these sentences are carried into execution.

Hsü Tung, by lightly placing confidence in the Boxer rebels, seriously compromised the situation. Li Ping-heng, by his magniloquent language and bigoted obstinance, was instrumental in bringing about trouble. Both ought to have been sentenced to imprisonment pending decapitation, but as on the eve of adversity they committed suicide and have already been deprived of their rank and posthumous distinctions, no further action need be taken.

The crimes of which the chief delinquents were guilty have been clearly set forth in detail in Our former decree.

Mr. Rockhill to Mr. Hay.

No. 30.]

PEKING, CHINA, *February 26, 1901.*

SIR: I have the honor to inform you that in pursuance of your telegraphic instructions of the 23d instant to Mr. Conger and myself, the diplomatic representatives and the Chinese peace commissioners were duly informed that I would take charge of the United States' interests in the pending negotiations. On the 24th I entered upon my duties.

To-day the diplomatic representatives in conference decided upon the boundaries of the area which they deem necessary for the diplomatic quarter—the Chinese Government having agreed, in principle, to concede one to the treaty powers for that purpose. They based their demands on the report of the mixed military commission, copy of which was sent you in Mr. Conger's No. 536, of the 16th instant, with a plan of the proposed quarter. A note will be at once addressed to the Chinese plenipotentiaries stating the demands of the powers in the matter. Some slight modifications may be made in the western portion of the area, if the Chinese too strenuously refuse all that is demanded in that direction.

While agreeing with my colleagues in the demand for this tract of land, I called their attention to the fact that the area in it allotted to the United States was, from every point of view, inadequate to the actual requirements of my Government for the accommodation of a legation with a guard, in case it should, as I hoped, decide to build one. The land, whether private or governmental property, in the legation quarter was seized by the various representatives here immediately

after the siege, without any regard to their actual or eventual wants and with the intention of, later on, disposing of it to their nationals as they might see fit. The representative of the United States not having followed this course, we can but extend over the few lots of ground along the face of the wall of the Tartar City, which you can see by reference to the plan.

I informed my colleagues that I only agreed to demanding the present diplomatic quarter on the understanding that later on they would agree to consider the proposition of my Government asking for China to make in Peking an international concession and put the city on the footing of a treaty port.

The property seized by the German, French, Italian, and Austrian-Hungarian legations included all that occupied until the siege by Sir Robert Hart and the Foreign Maritime Customs staff, at which time it was entirely destroyed. I took advantage of the discussion being brought on this subject by the reading of a letter of Sir Robert to the British minister against the practical confiscation of his property, to express the profound regret which my Government and people would feel on learning that any of the powers should have found it necessary under any circumstances to dispossess or in any way interfere with the Maritime Customs, a cosmopolitan institution in which we all take equal and just pride. Its distinguished head, to whose efforts more than to any other living man is due the present flourishing condition of foreign trade in China and the introduction of many western methods and improvements, deserves, we think, every consideration from the whole western world. The British minister spoke on the same lines, referring to the great services of Sir Robert Hart, not only to commerce, but to diplomacy.

The other diplomatic representatives expressed their high appreciation of the Customs service, but I have little hope that any of the seized property will be returned to the customs, though another tract within the diplomatic quarter and on the eastern side is to be offered in lieu thereof.

I am, sir, your obedient servant, W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 31.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, February 28, 1901.

SIR: I have the honor to report that the foreign representatives, in their meeting held yesterday, considered the question of punishments to be demanded for provincial officials and other persons most directly responsible for the massacres and riots of last year. The list comprised about one hundred names, against ten of whom it was proposed that capital punishment should be asked, the others to be cashiered and never to be employed again; some also to be punished by exile for life.

The Russian minister informed his colleagues that his Government was opposed to demanding of the Chinese further capital punishments, and that he could not agree to the demand now proposed without explicit instructions from St. Petersburg. I informed my colleagues of the substance of your instructions cabled Mr. Conger under date of

the 24th instant, stating that the President's earnest wish was that the effusion of blood should cease; that, with the execution of the chief authors of the recent troubles, and in view of the severity of the material punishment inflicted upon China, he would be pleased if the powers would agree not to ask for more death sentences. I added that the President did not propose, however, to decide on the necessity of such demands and that, therefore, I would not put myself in opposition if they agreed to it, but that I would not demand the capital punishment of any person, though I would ask dismissal from the public service against a number. The question will probably be disposed of within a week. I am inclined to think that the number of capital sentences asked for will be less than those now submitted. At the same time as this demand is sent in to the Chinese I will endeavor to have a demand made for posthumous honors for Chang Yin-huan.

The conference then proceeded to a consideration of the names of the localities in which examinations are to be prohibited during five years. I submitted a tentative list, which will be added to or revised by each legation and submitted to the Chinese Commission at the same time as the list of punishments.

Committees were then appointed from among the representatives to prepare and submit at the earliest possible date memoranda on the prohibition of the importation of arms, etc. (Joint Note, Article V), and on the reform in court ceremonial and reorganization of the Tsung-li Yamen (Article XII). The first-named committee is composed of the Russian and British ministers and myself; the second, of the Japanese minister and myself. I am also on the committee charged with the preparation of rules for assessing claims. On this committee are also the German, Belgian, and Netherlands ministers. It is hoped by this latter committee that it will be able to present a report to the conference within a week. This will serve as a basis for discussion, and will, I hope, be adopted in some shape by all the powers in establishing their claims. The question is, however, a particularly difficult and delicate one, especially in view of our wish to ask for a lump sum from China, to be afterwards distributed among the powers. So far no strong opposition has developed against your proposition for a lump sum, and I hope it may be finally agreed to.

I am, etc.,

W. W. ROCKHILL.

Mr. Hay to Mr. Rockhill.

No. 21.] DEPARTMENT OF STATE,
Washington, April 18, 1901.

SIR: I have to acknowledge the receipt of your dispatch No. 31, of February 28 last, on the subject of the meeting of the foreign representatives to consider the question of punishments to be demanded for provincial officials and other persons most directly responsible for the massacres and riots in China last year, your demand for posthumous honors for Chang Yin-huan, indemnities, etc.

Your action respecting the several matters treated of in your dispatch is approved by the Department.

I am, etc.,

JOHN HAY.

Mr. Rockhill to Mr. Hay.

No. 32.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, March 2, 1901.

SIR: The diplomatic representatives at their conference this morning, after having read a note from the Chinese peace commissioners stating that reports had been received from the various high officials designated to see that the death sentences against Prince Chuang, Ying Nien, Chao Shu-chiao, and Yü Hsien had been duly carried out, and that these personages had either committed suicide or been executed between the 21st and 24th of February, decided, nevertheless, to ask for an Imperial decree stating these facts.

The representatives then took up for consideration the plan of defense of the legation quarter. After a lengthy exchange of views on the subject, and in view of the declarations made by the British minister and myself that we could not discuss the subject until it had been fully examined by our respective Governments, it was agreed to refer the whole matter to our Governments for instructions.

The plan of defense is embodied in the report of the mixed military commission which was forwarded to you by Mr. Conger in his No. 536, of the 16th of February. I thoroughly concur with the views therein expressed, and shall oppose adopting or beginning work on any system of defense at present.

I submitted to-day to my colleagues that the political side of this question, as well as of all the questions connected with military measures to be taken in this province, was infinitely the most important, and they must all agree with me that the carrying out of the elaborate plan provided for by the report was of very doubtful expediency, if we propose to try and establish cordial relations with the Chinese Government. We had, by the terms of the Joint Note, acquired the right to make the diplomatic quarter defensible, and to hold with military forces the lines of communication with the sea, but we should, I thought, confine ourselves to letting the Chinese know that we will only exercise these rights so far as conditions may require, and that the extent of our defensive measures, both in Peking and along the lines of communication, must always depend on the spirit which may animate the Chinese Government and people.

The plan of defense submitted is, furthermore, entirely dependent on an assured permanent garrison in Peking of 2,000 men; but the Russian and British ministers and I stated that our Governments had not agreed to maintain this number permanently and, I added, the United States would not agree to enter into any scheme of permanent occupation; could not, in fact, without legislative action. I said that so far as we were concerned, we reserved absolute liberty of action, not only as to the number of the guard we might keep here, but even to keeping any guard here at all.

The concensus of opinion of the conference was that only such works of defense should be undertaken as were unobtrusive; the razing of the superstructures over the Hata men and the Chien men and a number of other measures deemed indispensable by the military committee seemed to most of the representatives very impolitic. I shall do nothing in the matter without your detailed instructions.

The conference will take up in its next meeting, some time next week, the study of the question of indemnities. The discussion of the

principles to govern the presentation of claims promises to occupy a number of meetings.

I am, sir, your obedient servant, W. W. ROCKHILL.

Mr. Conger to Mr. Hay.

No. 558.] LEGATION OF THE UNITED STATES,
Peking, March 4, 1901.

SIR: * * * Immediately after the raising of the siege a number of foreigners at once began taking possession of and trying to purchase much of the burned and abandoned property in what must necessarily be the future legation quarter.

This is not a treaty port where foreigners may purchase land at will, but yet it was apparent that if this was not stopped the entire Chinese-owned property would be taken and no opportunity left for the necessary extensions of the legations.

In order to prevent this the foreign representatives, on the 6th of November last, passed the following resolution:

> The diplomatic body agrees that no purchase of ground from the Chinese since the commencement of the siege, in the quarter occupied by the legations, will be of any value without the consent of the foreign representatives.

This at once put a stop to all purchases or seizures by private individuals.

Since the 14th of August, 1900, Peking has been under the military occupation of the allies. On November 6 the allied powers, through their representatives, gave the notice embodied in the resolution quoted above. This was a restriction or qualification of private ownership and a limitation of the right of alienation which, during the military occupation, the dominant powers had a right to exercise, and no transfers within the time designated could be valid as against the United States or other powers represented here. The restriction was authorized by public law and necessary to prevent the acquisition of the property needed by private individuals for speculative or other purposes. It does not imply the forcible acquisition of property for legation purposes by the United States; but is a precautionary measure against the vesting of intermediate rights.

It is always the policy of the United States to make just compensation for property taken for public use. The above view seems to be well sustained by fundamental and international law and by court decisions and practice.

* * * * * * *

It is not the practice of the United States to confiscate property for its citizens nor for any other purpose, * * * I have contented myself with designating tracts in the vicinity of the legation's present residence, which will be ample for the purpose of a new legation, including a place for the proposed guards, in case the Government determines to have a legation of its own. It is, however, probable that in the portion of the quarter allotted to the United States legation there will be some few desirable lots beyond the requirements of the legation, which, of course, citizens of the United States have the first right to purchase.

I have, etc.,

E. H. CONGER.

[Inclosure.]

Mis. No. 573.] PEKING, *February 12, 1901.*

To all American landowners in Peking:

I beg to bring to your special attention the following resolution adopted to-day by the diplomatic body, and at the same time to request that you will comply as soon as may be convenient with the instructions therein set forth:

"The representatives of the foreign powers have decided that it is best to define and organize as soon as possible the legation quarter provided for by the collective note accepted by the Emperor of China and which ought to be created at Peking.

"Therefore, each of the foreign ministers invites his nationals to make him acquainted with all the titles and references in support of the properties which they possess in the ground included within the following limits: Hatamen gate, Ketteler street, Italian boulevard, Stewart road, Chienmen street, Chienmen gate, Tartar City Wall.

"The only proprietors who will be considered as in legal possession are those who acquired title prior to June 20, 1900.

"Every minister will receive directly from his nationals the titles and references relating to the properties, and they should be delivered before February 25.

"The foreign landowners of countries which have no diplomatic agents in China should address the dean of the diplomatic body, the Spanish minister, prior to this date, supporting their claims by documentary evidence as above."

E. H. CONGER, *United States Minister.*

Mr. Hay to Mr. Rockhill.

No. 22.] DEPARTMENT OF STATE,
Washington, April 18, 1901.

SIR: I have to acknowledge the receipt of your dispatch No. 32, of the 2d ultimo, stating that you concur in the views expressed by Mr. Conger in his dispatch No. 536, of February 16 last, respecting the proposed system of defense for the legation quarter in Peking, and that you will oppose adopting or beginning work on any system of defense at present.

The Department concurs in your views on the subject.

I am, sir, etc.,

JOHN HAY.

Mr. Rockhill to Mr. Hay.

No. 35.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, March 7, 1901.

SIR: I have the honor to transmit herewith copy of a note from the Chinese plenipotentiaries reporting the carrying out of the capital sentences on certain princes and ministers ordered by Imperial edict of February 23, 1901.

Notwithstanding the assurances conveyed in the inclosed note, the foreign representatives decided, as I have already informed you in my No. 32 of the 2d instant, to ask for an Imperial decree stating the carrying out of these sentences.

I am, sir, your obedient servant,

W. W. ROCKHILL.

[Inclosure with dispatch No. 35.]

The Chinese Plenipotentiaries to M. de Cologan.

PEKING, *February 28, 1901.*

YOUR EXCELLENCY: We have already addressed a note to your excellency informing you that a decree had been issued ordering Prince Chuang, Yu Hsien, Ying Nien,

and Chao Shu-chiao to either commit suicide or suffer death by decapitation. This is a matter of record.

We have now received a telegram from the Grand Council stating that Ko Pao-hua had reported that he witnessed in person Prince Chuang committing suicide on the 21st of February at Pu Chou.

Ho Fu-k'un reports that on the 22d of February, at the capital of Kansu, he witnessed the decapitation of Yü Hsien, and Tsen Chun-hsuan reports that on the 24th of February he was present, and establishes the fact, that Ying Nien and Chao Shu-chiao committed suicide.

As Ch'i Hsiu and Hsü Cheng-yu were decapitated here, there appears no need to again inform your excellency officially of this fact.

We therefore send your excellency the above particulars of the dates of the suicide of Prince Chuang, Chao Shu-chiao, and Ying Nien, and the decapitation of Yü Hsien, transmitted to us by telegram from Hsi An, and beg that you will in turn communicate the same to the plenipotentiaries of the powers. The case is therefore settled so far as the punishment of the leaders of (the late) calamity is concerned.

Cards of Prince Ching and Li Hung-chang, with compliments.

Mr. Rockhill to Mr. Hay.

No. 36.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, March 7, 1901.

SIR: I have the honor to transmit to you herewith a translation of a memorandum from the Chinese plenipotentiaries to the foreign representatives setting forth their objections to the area asked for by the latter in their note of the 1st instant to be used as a diplomatic quarter.

In my dispatch No. 30, of February 26, I stated that the foreign representatives were prepared to make certain concessions along the western side of the section they asked for. This is the quarter more particularly occupied by the Chinese Government offices. Some compromise will certainly be reached.

You will notice by referring to the plan sent in Mr. Conger's No. 536, that it is the British Government which wants most of the land now occupied by Chinese governmental offices.

In connection with the question of the diplomatic quarter, I find to my great regret that the resolution of the diplomatic body of November 6 last was only sent you on the 4th of the present month in Mr. Conger's No. 558. The very unusual nature of this resolution, the principle of which I have great difficulty in persuading myself to admit, makes me hope that you will give me as soon as may be instructions for my guidance in its application.

I am, sir, your obedient servant, W. W. ROCKHILL.

[Inclosure No. 1 with dispatch No. 36.]

Translation of a memorandum presented by Prince Ching and Li Hung-chang, conjointly, on the subject of the legation quarter, dated March 2, 1901.

On the 1st instant we received a communication from the doyen, accompanied by a plan, stating that the foreign Representatives had decided upon the area to be set apart as legation quarter and defined the four boundaries of the same; that the public offices and buildings therein situated must be transferred elsewhere, and that the question of compensating the Chinese inhabitants thereof, who must also remove themselves and who are to be expiatoriated, is reserved for a subsequent communication.

As regards the Chinese residing in this quarter, who have to remove themselves elsewhere, it is, in the interest of justice and equity, imperative that later on regulations for indemnifying them in respect of their removal expenses and the value of their land be drawn up.

In the memorandum of February 5, which we handed to you, we asked for particulars as to where the legation quarter commenced and where it ended. We stated that all offices and buildings situated therein ought to be considered part of the same, and pointed out the necessity of having a joint delimitation of its boundaries.

A careful perusal, however, of the plan accompanying the doyen's communication shows us that the Tang Tzu, important ground where the Emperor is wont to sacrifice, has been included within the limits, which also embrace the following public offices and buildings:

The Imperial clan court, the boards of civil office, revenue, rites, war and works, the Mongolian Superintendency, the Hanlin College, the Imperial Supervisorate of instruction, the Court of the Imperial stud and of state ceremonial, the Imperial Board of astronomy, the Carriage park, the Residence for the tributary envoys and the college devoted to the students of the Hanlin Bachelors. All the above-named places are essential to the carrying on of public business. Ever since Peking was made the capital the various public offices have been established inside the Cheng Yang Gate (Chien men), on the right and left of the Imperial city. They are in immediate proximity to and form a circle round the same.

Not only does the fact of their being adjacent (to the palace) facilitate the dispatch of public business, but it is a question intimately affecting the prestige and the dignity of the State. This arrangement has remained without change throughout the Yuan and Ming dynasties—a period of now more than five hundred years. The magnitude of the building operations, and the number of public servants—high and low—have also to be considered, and were a transfer insisted upon there would be no other site available. Moreover, the Tang Tzu and these various public offices and buildings are comparatively far away from the legations. Regarded from a legation point of view, their exclusion from the legation quarter would have no harmful results, whereas their inclusion therein would defend the capital city of all that goes to constitute a capital. The action proposed involves consequences of no trifling import to the dignity of the state and the hope of the people.

Were we lightly and inconsiderately to acquiesce therein, it is to be feared, that their Majesties, the Empress Dowager and the Emperor, would, on their return, visit us with censure of the severest kind. It is of a truth really impossible for us to take so heavy a load upon our shoulders.

It is accordingly incumbent upon us to pray you in the terms of our former memorandum to agree to consider these buildings as not included in the legation quarter.

To accede to our request would afford ample evidence that the foreign ministers plenipotentiary are in sympathy with the sincere desire to strengthen friendly relations, which animates our Government.

That you will do so is of a truth most fervently hoped by us.

Mr. Hill to Mr. Rockhill.

No. 23.] DEPARTMENT OF STATE,
Washington, May 3, 1901.

SIR: I have to acknowledge the receipt of your dispatch No 36, of March 7 last, inclosing the translation of a memorandum from the Chinese plenipotentiaries to the foreign representatives setting forth their objections to the area to be used as a diplomatic quarter asked for by the latter in their note of March 1.

While the Department considers the resolution of November 6, 1900, which says: "The diplomatic body agrees that no purchase of ground from the Chinese since the commencement of the siege, in the quarter occupied by the legations, will be of any value without the consent of the foreign representatives," as being of unusual nature, the exceptional character of the resolution is believed to be justified in view of the inconvenience that might result from permitting foreigners to speculate in land intended to be occupied by the foreign legations, taken in conjunction with the fact that Pekin is not a treaty port where foreigners may purchase land at will.

The Department has, therefore, approved the action of Mr. Conger

reported in his No. 558, while recognizing the exceptional character of the resolution passed by the representatives of the foreign powers.

In reply to your request for instructions for your guidance in the application of the resolution, the Department would enjoin the withholding for the present of authorization of the acquisition of the land in question by private individuals.

As regards bona fide purchases made before the action taken by the foreign representatives, it may be necessary to inquire into the circumstances of such purchases, before dispossession is resorted to, if that should ultimately prove necessary.

I am, sir, etc.,

DAVID J. HILL,
Acting Secretary.

Mr. Rockhill to Mr. Hay.

No. 37.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, March 8, 1901.

SIR: I have the honor to confirm my telegram to you of yesterday.

In this connection I wish to say that notwithstanding the announcement made in your telegram of February that two troops of cavalry would be designated for the purpose of guarding the legation and for garrisoning Tientsin, it was stated by General Chaffee and considered settled by the legation that only one company of infantry would be kept, for the time being, at Peking as a legation guard. This force was held by our military authorities and the legation to be ample for all requirements. Furthermore, the ground in the Tartar city on which the United States can build a legation and quarters for its guard is entirely inadequate if two companies, say 250 men, are to be left here. Many would have to be quartered far away, and be of little use in case of a riot or a sudden attack. Mr. Conger pointed this out to you in his telegram of December 7 last, in which I thoroughly concur.

In view of the sufficiency of a guard of one company of infantry, and the fact that it was believed on all sides that we had determined to have that number, and that there is no valid reason to be found in the state of the country to double it at present, I deem it would be impolitic to do so, especially as some of the other powers might be disposed to avail themselves of the fact to increase their already large guards and demand the indefinite occupation by their troops of many public buildings, temple grounds, etc., which should be returned to the Chinese at the earliest possible date.

I am, sir, your obedient servant,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 39.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, March 12, 1901.

SIR: I have the honor to inform you that after a week passed without a meeting of the diplomatic corps, so as to enable the commission appointed by it to prepare a body of rules to be followed in passing

on the various claims of companies, societies, and private individuals against the Chinese Government, a general meeting of the corps was held to-day for consideration of the report of this commission.

Before the question was, however, taken up it was deemed desirable to see if any agreement could be reached by the foreign representatives as to the ulterior lists of punishments which it had been agreed to demand of the Chinese Government. The Russian minister immediately made a declaration that under instructions from his Government he could not take any part in any further discussion concerning any punishments whatever; that he had been ordered by his Government to declare that it considered this subject closed with the punishments already inflicted. The British minister then asked the representatives if they would affirm their vote of the previous meeting, in which they had decided, in principle, upon transmitting these demands to the Chinese Government. This was done, and the diplomatic corps, with the exception of the Russian minister, was unanimous in its decision that these punishments should be asked for. The British minister added that he had categorical instructions from his Government to insist on this question, and his colleagues agreed that it should not be dropped. I restated the President's and your views on the subject, as contained in your telegraphic instructions of February 19 and 23, but for the sake of maintaining unanimity I voted with my colleagues. The representatives will now await the decision of their Governments on the subject, to whom they have telegraphed the declaration of the Russian minister.

The commission of the diplomatic corps intrusted with the work relating to the diplomatic quarter then submitted a draft of the proclamation to be published in this section of the city, requiring of the Chinese property holders to show within twenty days titles to the property owned by them in this section of the city, so that a basis might be found for establishing the amount of the indemnification which they may be entitled to on being expropriated. A Chinese official appointed by the Chinese peace commissioners will assist the commissioners in this work.

The Chinese commissioners having, in a memorandum recently communicated to the foreign representatives, raised objections to the public buildings belonging to the Chinese Government and situated within the proposed diplomatic quarter, being included in the land to be ceded to the powers, the commission on the diplomatic quarter was authorized to confer with the Chinese plenipotentiaries on the subject, and to endeavor to reach a compromise with them.

The subject of indemnities was then taken up by the conference, and the various members were asked if they had received replies from their Governments to the four questions they had agreed to submit to them on February 17, and which were telegraphed to you by Mr. Conger on that date. I stated briefly your views on the subject and also your suggestion that, in case of protracted disagreement as to the distribution of the indemnity, we would accept the suggestion made by Russia, that the matter be referred to the Hague Tribunal. The Russian minister stated that he was not aware that his Government had actually made this proposition, that it was a mere indication, and he was not prepared to say that his Government would finally accept it. The British minister said categorically that his Government did not favor the Hague Tribunal, and the French minister did not consider

the proposition favorably, though he was willing that it should be discussed, as a possible solution in case of necessity. The meeting adjourned without the report on the commission of indemnities having been read, to meet again to-morrow. On my return from the conference, I telegraphed you the substance of the declaration of the Russian minister, and the action I had taken, and in view of the possibility of the majority of the representatives agreeing within a few days on some plan which may necessitate communication to the conference of the sum which each power expects as war indemnity, and that which it may ask on account of private claims, I renewed my request already made on March 2, that I should be informed on the subject.

In the afternoon I met the Russian and British ministers, to prepare a report embodying a plan for carrying out the provisions of Article V of the Joint Note, concerning the interdiction of the importation of arms, etc., into China. As soon as this report has been discussed by the conference I will transmit a copy of it to you. From the expression of views of my colleagues, I gather that it will be found absolutely impracticable to enforce this prohibition. The only power which seems earnestly desirous of stringently carrying it out is Russia, which has also included a similar prohibition in the demands recently made by it on China at St. Petersburg.

I am, sir, your obedient servant,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 41.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, March 13, 1901.

SIR: I have the honor to inform you that the diplomatic corps met to-day to continue the work begun at its meeting of yesterday.

Before taking up the question of indemnities, the representatives adopted a draft of a letter to the Chinese plenipotentiaries, presenting, in compliance with terms of the Joint Note (article 2, paragraph B), a list of the towns in which the examinations must be suspended during a period of five years. This subject will probably have to be discussed with the Chinese plenipotentiaries, as it involves a number of questions which can not be settled in a satisfactory way without having their views.

The report of the commission on the interdiction of the importation of arms, etc., was read, but discussion was deferred until it had been more carefully examined by each of the representatives.

The report of the commission on indemnities was then taken up, and a lengthy discusssion began on each paragraph of it. This discussion will be continued to-morrow, when the report will probably be returned to the commission for redrafting. The substance of the conclusions reached will then presumably be communicated to the various governments for their approval. The conference will meet again to-morrow.

I have the honor to be, sir, your obedient servant,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 42.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, March 14, 1901.

SIR: The diplomatic corps finished to-day the discussion of the report submitted by the commission on indemnities appointed to prepare rules, or rather lay down principles, for presenting the claims of societies, companies, and individuals arising out of the antiforeign troubles in China of last year. The necessity for such a body of rules applying alike to all private claims had been unanimously agreed to by the diplomatic corps in its meeting of February 12 last. (See Procès verbal of meeting of February 12, pages 2 and 3, and also that of February 16, pages 2 et seq.) The commission on indemnities was appointed on 25th of February, and submitted its report on the 13th of March, as I informed you in my dispatch No. 41 of that date. The classification was made after a careful examination of all the claims filed in the various legations.

I inclose herewith a translation of the report as finally adopted ad referendum by the diplomatic corps. I will transmit the French text as soon as it has been printed.

No special reference is made in the report to missions or missionaries, on account of the refusal of France to waive in any wise its claimed protectorate over Catholic missions and native Catholics in China. The French minister, however, declared that he was willing to accept, for purposes of evaluating mission claims, the principles of the report, though he reserved to himself the right to follow, as to categories, precedents established by treaties between France and China. In view of the above declaration, Paragraph IX was added to the report.

As regards the paragraph saying that each foreign representative should fix the approximate amount of the claims of his nationals, and that the sum total of them would be asked of the Chinese Government without detail or explanation, it is understood that the acceptance of this principle does not in any way prejudice the question of the final presentation of the indemnity demand on China, which has been reserved until the various representatives have received instructions from their governments.

As this paragraph follows, in principle, your wish that a lump sum covering all claims of whatever nature be demanded by the powers jointly of China, I had no reason to oppose it, though the examination in detail of all private claims by each legation will entail considerable loss of time and delay the final presentation of the demand for indemnity.

The Russian minister declared that while accepting the principles of the report, he would, unless otherwise instructed, present his claims separately. He had made a similar statement to the diplomatic corps in the meeting of February 16. (See Procès verbal of that date.)

Your views on indemnities and their presentation, contained in your various telegraphic instructions to Mr. Conger, had been made known to the diplomatic corps by him on February 16, and it had then been agreed that the various governments should be asked if they wanted to present the claims for war expenses in a lump sum with their other claims or separately. Answers have not yet been received by all the representatives, but it seems probable that a general lump sum will be

asked for. In this connection I refer you to the note written by the Japanese minister to the conference on February 16. (See Procès verbal of that date.) You will also note that the representatives were of opinion that it was better to ascertain the total amount of the indemnity before discussing the question of China's ability to pay it.

I have carefully gone over the report of the commission on indemnities, in the preparation of which I assisted, and do not think that any of the principles will prejudice claims of American citizens, if all are similar to those now on file in this legation. On the other hand, I believe that by adopting certain principles for assessing claims, the total amount which China will have ultimately to pay will be considerably reduced.

The general commanding the French forces, having stated that all the proceeds of the sale of Chinese salt seized by his troops at Tientsin would be credited to China on the amount of indemnity for war expenses, the question of crediting China with all the governmental treasure and other property not usually regarded as prize of war which has been seized by the foreign troops was brought up before the conference, when it had disposed of the report on indemnities. The Russian, British, and several other ministers stated that they accepted such restitution in principle, and it was agreed that all should ask the views of their governments on the subject.

The conference next heard the report prepared by the commission appointed to consider the demand embodied in Article IV of the Joint Note, relating to expiatory monuments in the desecrated foreign cemeteries. The commission recommended that 10,000 taels be asked for each monument in each cemetery desecrated in Peking, and 5,000 taels for each one of those in the provinces, this sum not to prejudice claims for material losses sustained in such cemeteries. The report was accepted, and it was agreed that a note should be sent the Chinese plenipotentiaries embodying the above demand. The meeting then adjourned to meet on the 18th to discuss the report prepared by the commission on the prohibition of the importation of arms and materials of war into China.

At the conclusion of the meeting I sent you the telegram which I confirm.

I have the honor to be, sir, your obedient servant,

W. W. ROCKHILL.

[Inclosure No. 1, dispatch No. 42.—Translation.]

Report of the commission on indemnities.

Article VI of the collective note provides:

"Equitable indemnities for governments, societies, companies, and private individuals, as well as for Chinese who have suffered during the recent events in their persons or property in consequence of their being in the service of foreigners."

The representatives of the powers have delegated the ministers of Germany, Belgium, Netherlands, and the plenipotentiary of the United States of America to elucidate this article and to lay down principles to serve as a common basis for estimating and assessing claims for indemnity to be presented to the Chinese Government.

The commission on indemnities has attempted to effect a double purpose, first, to insure an equitable indemnity to those who have been injured, and second, to prevent the antiforeign movement of 1900 being made use of under any circumstances as a pretext for illegal gain or profit.

The commission after having studied the draft classification of indemnities communicated to the diplomatic corps by the French, British, and Japanese ministers,

respectively, and after examination of all the instances which have been brought to its notice, proposes the following resolutions for adoption:

I. Damages shall not be claimed except in cases which are immediate and direct consequences of the antiforeign movement which occurred in 1900.

II. Indemnity claims may be classified under three principal headings:

a. Indemnities to governments.

b. Indemnities to societies, companies, and private persons.

c. Indemnities to Chinese in the service of foreigners.

III. (1) The commission considers that the cases specified below constitute an immediate and direct consequence of the events of 1900.

To governments:

A. War expenditure, which includes indemnities for members of the legation guard who were killed, wounded, or were subjected to cruel treatment.

(The commission on indemnities has not been empowered to deal with the above.)

B. Buildings of legations and consulates destroyed or damaged, taking into account new requirements, being an immediate and direct consequence of the above events, inclusive of temporary housing and repairs, expert survey for determining the amount of damages, etc.

Furniture and all property belonging to the Government.

Furniture and private property belonging to the staff of the legations and consulates.

To societies, companies, and private individuals.

A. *Societies and companies.*—Buildings and other property which have been destroyed or damaged belonging to societies and companies in Peking, Tientsin, or elsewhere, including temporary housing and repairs, expert surveys for determining amount of damages, etc.

B. *Industrial undertakings.*—Direct losses suffered by industrial undertakings, works commenced, wasted, or suspended.

C. *Merchants.*—Private property of merchants.

Real estate destroyed or damaged, including temporary housing and repairs, expert surveys for determining amount of damages, etc.

Furniture.

Usual and inevitable salary of employees whose services could not be turned to account.

Unavoidable office expenses not made good in consequence of the events.

Stock in trade, goods, provisions, samples possessing pecuniary value, destroyed or deteriorated.

Extraordinary cost of storage and reshipment.

Debts recognized as valid which can no longer be recovered.

Bank notes lost or which can not be cashed.

Specie, bills payable at sight.

Broken contracts of all descriptions, losses suffered in consequence of the nonexecution of contracts entered into for articles of exportation or importation.

Deposits of money in telegraph offices or in banks. Advances to Chinese merchants who have become insolvent in consequence of the events.

Extraordinary cost of insurance rendered necessary by the events referred to.

Goods requisitioned for foreign troops for defensive works.

D. *Private individuals.*—Real estate destroyed or damaged.

Broken contracts of every description, losses through nonexecution of contracts.

Articles destroyed or disappeared in consequence of the troubles.

Furniture, personal effects, jewelry, specie, bank notes which can not be cashed, objets d'art, pictures, photographs and family portraits only if of artistic value, knickknacks, books, collections memaires and letters and documents (calculated according to their salable value), manuscripts and materials collected for the publication of books (conditionally on the real valne being proved), plans and instruments, provisions, wines, animals, and various materials.

Articles destroyed or lost in pawn shops, deduction being made of advances received on such articles.

Rents not recoverable or rents paid in advance, where occupation was prevented in consequence of the events.

Deposits of money in telegraph offices or in banks.

Journeys to the nearest place of safety.

Wounds or cruel treatments entailing the death of the breadwinner, iucapacity for work, or direct loss of money.

To Chinese in the service of foreigners:

Indemnities to Chinese who have suffered in their property or persons in consequence of their being in service of foreigners, including indemnities to the widows

and orphans of Chinese who have lost their lives during the course of recent events by reason of their being in the service of foreigners.

(II) The commission considers that the cases specified below ought not to be considered as an immediate and direct consequence of the events of 1900.

To merchants:

Losses of earnings resulting from the interruption of business or from the disturbed state of commerce at Peking, Tientsin, and elsewhere.

Bills payable at deferred sight of a risky character.

Goods belonging to Chinese intended for export on their way from the interior with transit passes.

Telegrams, insurance charges, and other ordinary expenses of this nature.

Interest on goods in stock.

Loss of interest on exchange contracts with banks.

Goods in transit belonging to Chinese.

Increased freight charges except in the case of contracts entered into before the events.

Commission to be earned on future contracts.

Depreciation of value on millinery and similar articles.

Fluctuation of exchange.

Ordinary insurance of goods sold but not delivered.

Losses caused by the interruption of banking operations during the trouble.

Remuneration to employees to compensate them for sufferings undergone.

Hotel guests who have failed to pay their bills.

Loss of customers generally.

Value of sites the buildings on which have been destroyed.

Depreciation of land in consequence of events.

Negotiable instruments not met, unless the real damage done can be clearly established.

Interest on loans.

Money lent to Chinese, except in transactions when the security given was amply sufficient.

To private individuals:

Mental sufferings and injuries of any character.

Illness, except in cases where it entails incapacity for work.

Traveling expenses other than journeys to the nearest place of safety.

Destruction of Chinese houses rented to foreigners.

Loss of diplomas.

Loss of customers.

To Chinese:

Chinese capital invested in commercial or industrial undertakings in association with foreign capital.

To compradores, goods, being his personal property, which were lost in a godown belonging to a foreigner.

IV. Claims for damages should in every case be addressed to the representative of the power which exercises protection over the claimant.

Claims of an international character are to be addressed to the dean of the diplomatic body.

The representatives of the powers, after examination of the claims preferred by the persons under their protection, shall make an approximate estimate of the amount and shall demand the sum total without giving either details or explanation to the Chinese Government.

V. (I) Damages shall be assessed as far as possible and in conformity with the above-mentioned principles, with a view to putting governments, societies, companies, and private individuals back in the position in which they would have been if the anti-foreign movement of 1900 had not taken place.

The valuation of articles for which damages are asked shall be just and reasonable and in conformity with the real expenditure which would be necessary to replace them.

(II) The amount of the indemnities can not in any case be augmented by interest at more than 5 per cent on personal claims and 7 per cent on commercial claims. Interest can only be allowed if it represents a loss actually incurred, and which shall have been proved in accordance with Article VII, given below. It will be calculated from the day on which the wrong entitling the compensation took place.

VI. If societies or companies or private individuals have been required by the military authorities to furnish articles, furniture, real estate, or goods belonging to them for the necessities of common defense, the government exercising authority over the officer or officers who have signed such requisition or have certified to the correct-

ness of the bills shall be directly responsible for their reimbursement, with a corresponding right against China.

VII. Proof of damage suffered shall be made to the satisfaction of the foreign representative to whom the claim is addressed, in conformity with the laws and usages of his country.

The proof that the articles existed prior to the events which led to the claim being presented shall be furnished in every case to the satisfaction of the representative of the power concerned.

In examination of the different claims for indemnity for the loss of personal property it is desirable that the style of living and the presumable income of the claimant should be taken into account.

VIII. The Commission considers that the indemnities should be calculated in Hai-kwan taels.

IX. The Commission considers that the principles enumerated above should serve as a basis for assessing all claims for compensation, without distinction.

Mr. Rockhill to Mr. Hay.

No. 43.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, March 18, 1901.

SIR: The diplomatic corps in its meeting held to-day devoted all its time to a desultory discussion of various points relating to the report of the commission on indemnities, which it had adopted *ad referendum* in its meeting of the 14th.

The British minister having proposed to the meeting that, following the precedent of the Constantinople conference of 1896, the representatives should submit to the conference *pro forma* the amounts they proposed asking of China for each specific claim of their nationals, and also the amount of their claim for war expenses, etc., the Austrian minister offered as an amendment that they should submit only the total amounts of each of the three categories of claims, i. e., state, companies and societies, private individuals. I then suggested as a further amendment that each power submit to the conference a lump sum covering all its claims, governmental, companies and societies, and private ones. This amendment was voted on, although at the last meeting the question had been reserved for future consideration, most of the representatives being without instructions. Six of the representatives, including France, Japan, and Russia, were in favor of my amendment, but the ministers of Great Britain, Germany, and Italy voted against it. Though the vote was an informal one, which may not affect the final settlement of the question of the presentation of the demand for indemnity to the Chinese Government, I deemed it sufficiently interesting to mention it in my telegram to you of this date.

I still believe a lump-sum indemnity will be asked, and that we will be able to secure, in conformity with your wishes, a horizontal scaling down of the claims to within China's ability to pay.

On my motion, the conference fixed the 1st of May, subject to the approval of their Governments, as the latest date at which private claims should be filed here. This will, in my opinion, hasten the final presentation to China of the indemnity demanded, though some of the powers seem embarrassed over the question of the cost of future military occupation in calculating their demand for war expenses.

I inclose herewith a translation of a letter from the Chinese plenipotentiaries to the dean of the diplomatic corps, read by him at this meeting, relating to the indemnification of Chinese residents in the

proposed diplomatic quarter. The draft of a reply was agreed upon by the representatives, and a copy thereof is inclosed. The question of the diplomatic quarter seems likely to give a great deal of trouble, and will not probably be settled for some time to come, though in the meanwhile the various powers are busy building quarters for guards, and new legations.

I have the honor, etc., W. W. ROCKHILL.

[Inclosure No. 1, with dispatch No. 43—Translation.]

The Chinese plenipotentiaries to Mr. de Cologan.

PEKING, *March 16, 1901.*

We had the honor to receive on the 15th instant your communication with reference to the execution of Article VII of the joint note.

(Quotes in extenso doyen's note of March 15, 1901.)

In your communication of the 1st instant, transmitting a plan of the proposed legation quarter, you made certain remarks on the subject of the Chinese resident within its limits.

On receipt thereof we prepared and sent you a memorandum, in which we stated that in the interest of justice steps must be taken to make good to the Chinese resident in the legation quarter, who would be called upon to move elsewhere, the value of their land and their expenses of removal.

Now, what we meant thereby was that the Plenipotentiaries of the powers themselves ought, as a matter of course, to take steps to provide for any sums necessary to make good such claims. It is a fixed and abiding principle that he who appropriates land for his own use must pay for the same, and that he who calls on them to remove their dwellings must make good the expenses of such removal. In the present instance, as the legations wish to extend their boundaries, such Chinese as are resident within these limits must move elsewhere, and, as in your former communication it is stated that such area is reserved for the use of the legations, it undoubtedly follows that the legations are responsible for the payment of the value of the land thus appropriated. Further, as the legations had called upon the present residents to quit, they put these people to the expense of taking down their dwellings and reerecting them, a process which is accompanied by inevitable loss of property and damage of various kinds. These losses being the result of orders to quit, the reimbursement thereof ought naturally also to be made by the legations concerned.

It is now, however, proposed that the Chinese Government be asked to provide funds for this purpose. Taking all the circumstances into consideration we can hardly bring ourselves to believe that a proposal of this kind is in accordance with equity.

As regards the request in the communication under acknowledgment, that an officer be appointed to assist in the examination of title deeds and assessment of values, this is of a truth a just and proper method of procedure, and affords evidence of a really sincere desire to preserve the interests of the proprietor from injury.

It is our duty in addressing to you this reply to beg you to consult with the Representatives of the powers regarding the question of refunding to the Chinese owners the value of their lands and expenses of removal, with a view to securing an acknowledgment of the just principle that each legation should itself take steps to provide the funds necessary for the purpose.

When we shall have received your answer we will take into consideration the appointment of a delegate to join the committee elected by the diplomatic body.

[Seal of Chinese Plenipotentiaries.]

MARCH 17, 1901.

[Translation.]

The Dean of the diplomatic corps to the Chinese plenipotentiaries.

PEKING, *March 19, 1901.*

HIGHNESS, EXCELLENCY: In a note under date the 15th of March, I had the honor to request you to designate a delegate to examine, with a commission named for that purpose by the representatives of the powers, the validity of deeds to real estate

owned by Chinese within the limits of the future diplomatic quarter. I informed you that this commission and the delegate you will choose would also have for duty to fix the value of the lots to be expropriated, so as to settle the damages which the Imperial Government would have to grant the owners of them.

You answered me on the 16th of this month that it belonged to the legations to indemnify the Chinese who would be expropriated by them. You pretended in that communication that the pulling down and destruction of buildings which has been done in the diplomatic quarter were imputable to the legations, as was also the moving away from it of the inhabitants, who have been obliged to abandon their dwellings.

The events of last year are still too recent for it to be possible to represent things in this light.

Why did the Emperor of China, in accepting the joint note, grant the legations the right to put themselves in a defensive state, unless it was because they had been invested and besieged for two months, surrounded by regulars and Boxers, who pulled down several of them and destroyed by fire the whole quarter surrounding them?

Who ignores that when the allied troops entered into Peking the whole section of the city which the powers demand to establish their diplomatic missions in had been mined and burned and was only a heap of ruins, the work of Boxers and regulars?

It is the Chinese Government, declared responsible of these events by the powers, and which has recognized itself as such in accepting their conditions, that should bear the consequences of its conduct and to supply to the diplomatic agents, to which it has a duty to insure, the means of defense which it has rendered necessary in failing to keep its first obligations. Among these means of defense figures in first line the removing of the houses which served as a place of refuge to those attacking the legations and the walls of which have shielded their attacks against the representatives of the powers.

As, however, it would be unjust to deprive of their dwellings Chinese who have no responsibility in the affair, and who would as a result be victims of an event which they could not prevent, the diplomatic corps proposes to you to fix with it the reasonable damages which you will have to pay the inhabitants who can show good titles to their property.

The diplomatic corps can only insist on its demand, and my colleagues direct me to beg you to designate, as soon as possible, the delegate who will put himself in communication with the commission which it has appointed.

B. J. DE COLOGAN.

Mr. Rockhill to Mr. Hay.

No. 44.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, March 19, 1901.

SIR: I have the honor to confirm my telegram to you of this date.

It was written after a conversation with General Chaffee, in which he told me that he had received orders to begin withdrawing his troops from China, except one company to be left as a legation guard, by the end of April.

In the present state of negotiations, when the question of the evacuation of Peking and the adjacent country, the occupation of the lines of communication with the sea, the razing of the forts, the defense of the proposed legation quarter, and a number of other important questions are still unsettled, though within appreciable distance of settlement, the withdrawal of all our forces would unquestionably place us in any discussion on these points in a position of great disadvantage with the other powers having large forces here—we would practically have no voice whatever in these matters.

Furthermore, the powers with many troops would thereby acquire still further influence by taking over the part of the city now under

our control, and be able to exercise as they might see fit pressure on the Chinese Government to obtain their particular ends.

With even a small force of American troops here we can exercise a constant and salutary pressure on the other powers in the interest of the prompt reestablishment of order and the return of the administration of this province to China; without them we will be able to do but little.

The administration of the quarters of Peking under American control has been excellent and gives satisfaction to foreigners and Chinese alike.

I submitted the above considerations to General Chaffee and a number of other arguments along the same line in favor of maintaining here for at least the next few months a considerable force of our troops. I have also shown the general a copy of the telegram sent you to-day.

I have the honor to be, sir, your obedient servant,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 45.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, March 20, 1901.

SIR: The diplomatic corps in its meeting of this morning discussed the report of the commission appointed to consider the means deemed necessary for enforcing the provisions of Article V of the Joint Note (prohibition of arms and ammunition, etc.).

The report, after being slightly amended, was adopted *ad referendum* and ordered to be printed. I will transmit a copy of it to you in a few days. It simply embodies the views of the foreign representatives as to the measures they deem indispensable to be taken, if the powers agree to endeavor to prevent the introduction of arms, etc., into China. It seems to be highly improbable that any of them will be willing to accept its recommendations, as they conflict with a number of principles of international law of great importance and are impossible in execution.

The report provides for the enforcement of the prohibition for renewable terms of five years. The Japanese and Belgian ministers and myself were in favor of terms of two years, contending that it was possible that within the first term of two years conditions might be such in China that it would not be necessary to any longer prohibit the importation of arms. The Russian minister, on the contrary, wanted the term fixed at ten years.

It appearing urgent to the diplomatic corps that the question of the razing of the forts and military occupation (Articles VIII and IX of Joint Note) should be settled at an early date, it was decided that before proceeding to consider them it was imperative that each of the powers should state whether it proposed to take part in the military measures their carrying out would necessitate. Each of the representatives agreed to submit the question to his Government in the terms of my telegram to you of this date.

The German minister informed his colleagues that he had received from his Government the figure of the war indemnity it proposed

demanding of China, and he asked if the other representatives were in possession of like data from their Governments. The representatives of France, Austria, Belgium, Holland, and myself were the only ones who had received instructions on the subject.

It was, however, agreed that it was necessary to take up without further delay the study of the financial resources of China for the payment of the indemnities, and a committee will be appointed for that purpose on the 22d instant.

I have the honor to be, sir, your obedient servant,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 46.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, March 22, 1901.

SIR: The question of the presentation of the ulterior list of punishments for those officials and other persons shown to have taken a direct part in the massacres of last summer was brought to-day before the diplomatic corps by the British minister, who, under instructions from his Government, is most pressing in his demands for its presentation to the Chinese Government. Prior to the meeting of the diplomatic corps the six ministers who had persons of their nationalities killed last year met to revise the lists of punishments previously prepared, and on which figure 10 demands for capital punishment. This latter list was carefully gone over and the number of such punishments reduced to four, and for the other six the punishment was commuted into that which has been inflicted on Prince Tuan and Duke Lan. All the minor demands, amounting to about 89, and which figured on the first list, were maintained. The revised list was then submitted to the whole of the diplomatic corps and it was asked whether it agreed to transmit it to the Chinese plenipotentiaries. The Russian minister reaffirmed his declaration made previously that his Government considered the question of punishments closed. All the other representatives agreed to send the demand, but as some of them declared themselves in favor of sending a joint note and others identic ones, no final agreement could be reached, and they cabled to their Governments for instruction. The British minister, who expressed himself strongly in favor of a joint note, stated that in case this was not finally agreed upon his Government reserved to itself the right to present the original demands—that is to say, for 10 capital punishments—to the Chinese Government, even if it had to do so alone.

As I telegraphed you to-day, I shall, unless otherwise instructed by you, vote in favor of a joint note. I am strongly of opinion that a demand for further punishments should be made on the Chinese Government. In the first place, because some punishment should be inflicted on a number of guilty provincial officials. * * * I have, however, stated that I will accept any form of punishment agreed upon, and will in no case insist on death penalty.

The question of a demand for punishments having been for the time laid aside, the diplomatic corps took up the discussion of a set of police regulations for the diplomatic quarter. This contemplates the organization of an international police, and provides for a number of measures which, under existing conditions here, seem to me most impracticable.

I stated to my colleagues that if they would agree to call the section of the city which the Chinese Government has been asked to cede to the powers an international settlement and organize in it some form of municipal government I would agree to any proposition they might submit, otherwise that I must decline to agree to any arrangements such as they contemplated by the regulations under discussion. No action was taken.

A committee consisting of the British, French, German, and Japanese ministers was then appointed to consider the financial resources of China, with a view to the payment of the indemnity which will be demanded. The conference then adjourned *sine die*, but will probably meet about the middle of next week.

I confirm my telegram to you of this date.

I have the honor to be, sir, your obedient servant,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 50.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, March 28, 1901.

SIR: I have the honor to transmit herewith, for your information, two memoranda, one prepared by Sir Ernest Satow, British minister to China, the other by Sir Robert Hart, and both bearing on the question of the available revenue from which China could pay the indemnity which will shortly be asked of it by the powers.

Some of the foreign representatives here are advocating in the strongest manner that China should contract a foreign loan for the payment of the indemnity. Though this would be the most rapid way of paying it off, it would also be the most expensive. It would inevitably result in establishing some form of foreign international financial control, affect thereby the administrative entity of China, and consequently conflict with the declared policy of the United States. Though Russia is, I am given to understand, strongly opposed to China making a loan which would result, according to Russia's views, in further strengthening British influence in China, the powers are so anxious to be promptly paid for their military expenses, that I fear great pressure will be brought to force this country to follow this method in paying off her new indebtedness.

The suggestions of Sir Ernest Satow and Sir Robert Hart's memoranda, by which existing revenue only would be used to pay off by installments the indemnity, would be much better for China and the adoption of most of the measures they propose would contribute to bring about much needed administrative reforms, and ultimately constitute for the sole benefit of China, let it be hoped, valuable sources of revenue. For these reasons the measures herein advocated strongly commend themselves to me, and I have no doubt they will do so also to you.

It has been rumored here of late that some American capitalists were willing to supply China with all the money she might need in her present embarrassment, on condition that the administration of certain of China's present revenues be farmed out to them for an extended term of years. Any such attempt to secure control over

the larger part of China's revenues, and thereby over the Government of China, would be strongly opposed by all the other powers out here, and I think not unnaturally. So strong I think would be the opposition that it seems to me it would be quite impossible to carry out this plan. The development of China's resources and improvement in her methods of administration will tend more than anything else to increase her commerce, and will, therefore, be ultimately much more beneficial to us and the world at large than any other plan which can be thought of for the settlement of its new financial obligations.

I have the honor to be, sir, your obedient servant,

W. W. ROCKHILL.

Memorandum.

[Translation.]

We are without any indications as to the probable total amount of the indemnities which will be claimed from China, except such estimates as have been brought forward in the legislature of certain powers, but it seems reasonable to assume that the sum will not fall far short of £50,000,000 and may possibly exceed those figures.

Assuming, however, for the moment that this round sum represents the total, the next question is how can this be provided for.

Immediate payment or payment spread over a short period would meet the convenience of the powers, but it is obvious that this is impossible without having resort to a foreign loan.

It has been recently estimated that in order to provide only £40,000,000 in cash, China would, in the present state of her credit, have to contract for a loan of £55,000,000, and at the same rate for £50,000,000 in cash she would have to contract for £68,750,000. The amount she would have to provide for the first fifteen years (assuming the terms to be the same as those of the loan effected after the war with Japan) would be somewhat over £5,500,000. For the next succeeding fifteen years it would be about one-third less, after which there would be a still further diminution.

This seems to be considerably in excess of what she could afford to pay without increasing taxation to a burdensome amount or taking such a proportion of the total revenue of China as would drive the Government into bankruptcy.

Mr. George Jamieson, at page 33 of his report (1897), estimates the total revenue at 88,000,000 taels, from which must be deducted nearly 22,000,000, being the foreign customs revenue, the whole of which is hypothecated for the payment of the existing debt. This leaves 66,000,000 or £11,000,000, and according to the hypothesis of this one-half must be devoted during the first fifteen years to the payment of debt. To state this is to demonstrate its impossibility.

Whether for the credit of China that of the powers can be substituted by some means or other I will not now stop to inquire, but confine myself to the question of what resources are available, which by improved methods of collecting might be made to yield more than at present without increasing the burden on the taxpayer.

In Mr. Jamieson's report above referred to (p. 33), the revenue from the native customs is set down at 1,000,000, which (p. 30) he considers an absolutely insignificant amount, and the inference is that if the returns were honestly made it would yield a much larger sum. Mr. Hippisley, in an address delivered before the Johns Hopkins University, in November last, put the actual revenue from this source at 3,000,000 taels, and as he is a member of the Imperial maritime customs service it may be assumed with a fair show of probability that his estimate is more likely to be correct than that of Mr. Jamieson, who had not the same means of access to official sources of information. The same remark, however, applies to this larger estimate, namely, that an honest system of collection would produce a considerably larger amount. It seems consequently that to estimate the yield obtainable at 4,000,000 taels would not be excessive.

The next item of revenue which by common consent seems to be regarded as the most easily available is the salt excise. Mr. Jamieson puts this at 13,659,000 taels (p. 33 of his report), while Mr. Hippisley estimates it at only 12,000,000. It is, as is

well known, capable of producing a much larger sum, which at the very lowest estimate may be put at 50 per cent higher, say 16,000,000 taels. But from two other sources of information, independent of each other, it appears that a surplus of 12,000,000 taels is an equally plausible estimate of the gain to be expected from an honest administration.

Thirdly, there is the item of the tribute rice sent to Peking from the south (p. 6 of Mr. Jamieson's report). The amount sent forward he estimates at 1,200,000 to 1,400,000 piculs; the charges and allowance for transport cost the provinces a very large sum, which he estimates at 1,500,000 taels.

According to another estimate the tribute rice amounts to 800,000 piculs, value, 4 taels a picul. Forty per cent of this is transported by the Grand Canal, the charges being so high as to make the laid-down cost in Peking about 15 taels, while the freight on the remaining 60 per cent carried in the steamers of the China Merchant Company is only 1½ taels a picul. If the whole were transported by sea the resulting economy would amount to 9½ taels or 40 per cent on 800,000 piculs, or 3,040,000 taels. Another estimate gives 300,000 piculs carried by steamer and laid down at 6 taels, and 400,000 piculs transported by the Grand Canal at 15 taels, the economy effected by carrying the whole by sea would then be 3,600,000. The viceroys who dispatch the rice pay the freight in the first instance and deduct it from the proportion of the land tax which they remit to Peking.

It should be explained that the "tribute rice" is rice purchased by the officials with money received in commutation of taxes in kind. The funds employed in this way reach from 3,360,000 to 3,920,000 taels according to Mr. Jamieson's estimate of the amount of tribute rice. The rice is eventually doled out to the Manchu banner men, who sell it for consumption by the poorer classes in Peking, realizing about 1½ taels a picul. No more wasteful proceeding than the foregoing could be imagined.

If the money expended in the purchase of the "tribute rice" were kept in hand, and if to that were added the saving on transport, we should obtain a sum of about 6,562,000 taels, according to Mr. Jamieson, or if the other estimates were taken, the result will be as follows:

	Taels.
800,000 piculs, at 4 taels	3,200,000
Saving on 480,000 piculs transported by sea	720,000
Saving on 320,000 piculs transported by Grand Canal	3,520,000
Total	7,440,000
700,000 piculs, at 4 taels	2,800,000
Saving on 300,000 piculs transported by sea	600,000
Saving on 400,000 piculs transported by Grand Canal	4,400,000
Total	7,800,000

A further economy might be effected by capitalizing the pensions to Manchu soldiers and banner men and issuing to them bonds bearing interest at 5 per cent. The official return for Peking alone is 5,760,000 taels, without taking into account the cost of the Manchu garrisons in the provinces. It must be remembered that these men are not of any use as soldiers. If the bonds issued to the recipients of these pensions were to the amount of half the capitalized value, this would for Peking alone effect a saving of 2,830,000 taels. The prohibition to engage in trade which affects them should at the same time be removed.

To sum up, the minimum estimate gives—

	Taels.
Native customs	4,000,000
Tribute rice	6,562,000
Salt	6,000,000
Manchu pensions	2,830,000
Total	19,392,000

Maximum estimate:

Native customs	4,000,000
Tribute rice	7,800,000
Salt	12,000,000
Manchu pensions	2,830,000
Total	26,630,000

As to the administration of these sources of revenue, it seems obvious that the native customs should be placed under the Imperial maritime customs. As to the others, the question of how they should be collected and paid over is a matter for future consideration.

It may possibly seem that the foregoing estimates of available sources of revenue is too sanguine. What may be regarded as a rather pessimistic estimate is as follows:

	Taels.
Native customs	1,800,000
Tribute rice	960,000
Salt	2,400,000
Total	5,160,000

Its framer proposes, therefore, that the present import duties should be raised to an effective 5 per cent, being at present only 3.17 per cent effective, and estimates the yield from this to be about 2,700,000 taels, while from duty-free goods, excepting foreign cereals or rice, 420,000 taels might be obtained. This gives altogether 8,280,000, or say, in round numbers, 9,000,000 taels.

This would suffice, it is evident, for the service of a loan of £30,000,000 nominal, producing, say, £23,000,000 cash.

If the present specific tariff is to be brought up to 5 per cent actual ad valorem, it seems just and reasonable that a similar provision should be made with regard to land frontier customs duties.

ERNEST SATOW.

MARCH 25, 1901.

Memorandum concerning indemnity to be paid by China.

1. What amount can China pay?
2. What method of payment is most suitable?
3. What revenues can most easily be taken?
4. What control is advisable?

1. What amount can China pay?

(*a*) China has no reserve and can not pay ready money.

(*b*) The amount required must therefore be taken either from the savings of the people or from the current revenues of the Government.

(*c*) No statistics show the wealth of the people, but even admitting the possibility of finding the required sum in their hands and clearing off the entire indemnity by one payment, the attempt to collect it would unsettle every province and end in failure.

(*d*) It is therefore from revenues payment must be made.

(*e*) The latest statement of revenue and expenditure, compiled from what remains of the records of the Hu Pu board of revenue, makes revenue amount to about 88,000,000 taels, while expenditure was said to require 101,000,000. More than a quarter of the revenue was paid out for the service of existing loans, and as for the deficit or difference between requirements and receipts, it is still a debt; there are no funds to meet it. The appropriation of so much revenue for existing loans is in fact the cause of the deficit, for all such loan payments are deductions from the fund the Government relied on to meet the expenses of provincial and metropolitan administration. New revenues were not created to meet new expenditure. Accordingly, any further withdrawal of funds from revenue means an additional deficit, and the total deficit must then either become an increasing debt ending in national bankruptcy or be made up for either by additional taxation or by a mixture of that and economy in the use of funds. Economics are not easily effected, and as for new taxes, they are difficult to impose and do not at once pay for the cost of collection. Officials, official establishments, and governmental work generally will be embarrassed by hasty or ill-considered attempts to economize; new taxes are never popular and give underlings opportunities for extortion; an official economy which would impair the efficiency of national administration and a taxation which would weaken either the productive or the consumptive power of the people are alike to be condemned. These considerations can not be set aside when attempting to answer the question, What amount can China pay? For, seeing that the present revenue does not suffice for the ordinary work of Government, fresh taxes must be imposed to make up for whatever revenue a new indemnity will withdraw.

(*f*) The items of annual expenditure may be classified in round numbers as follows:

	Taels.		Taels.
Provincial	20,000,000	Legations	1,000,000
Military	30,000,000	River works	940,000
Naval	5,000,000	Railways	800,000
Metropolitan	10,000,000	Loans	24,000,000
Banner men	1,380,000	Contingent reserve	3,300,000
Palace	1,100,000		
Customs	3,600,000	Total	101,120,000

(*g*) Revenue receipts may be arranged as follows:

	Taels.		Taels.
Land tax	24,000,000	Likin	16,000,000
Do	2,500,000	Native customs	2,700,000
Provincial miscellaneous duties	1,600,000	Maritime customs: General cargo	17,000,000
Provincial miscellaneous receipts	1,000,000	Foreign opium	5,000,000
Grain commutation	1,300,000	Native opium	1,800,000
Do	1,800,000	Total	88,200,000
Salt Gabelle	13,500,000		

(*h*) Taking the population of China at 400,000,000 and the revenue collected and expended at 100,000,000, the Government may be said to cost the people annually 25 tael cents each. If these figures are to be considered net results, and a similar amount allowed for cost of collection and extortion—an allowance which is probably excessive—the result would still be a taxation of only 50 tael cents apiece. Japanese pay 7 silver dollars and Americans 15 gold dollars. It may therefore be said that whatever abuses exist, no people are more lightly taxed and no government more economically conducted than the Chinese; but this is what Confucian teaching requires. On the other hand, it must be remembered that while living is cheap, wages are low; and that while, accidents apart, people everywhere have enough, and just enough, to live on, the national currency—copper cash—at the rate of 1,000 cash to the silver dollar, is so well suited to Chinese environment that in every market place a single cash can buy something. Therefore, although living is cheap and taxation light, it would be a mistake to suppose that new taxation would meet with no objection and cause no suffering, while it is also a fact that to the ordinary Chinese mind relatively heavy taxation is distasteful as being, first of all, opposed to the moral sentiment of the country and also affording unscrupulous collectors opportunities to harass productive industries.

(*i*) With these considerations in view, and bearing in mind the fact that experience now shows that the Government, although in difficulties, is just able to support the deficit existing loans cause, it may be inferred that additional indemnity payments, to be made up for by additional taxation, ought not to exceed present charges—that is, ought to be as much below 20,000,000 taels a year as possible, and ought not to exceed that amount; and this is my answer to the first question, What amount can China pay?

2. What method of payment is most suitable?

(*a*) Under the circumstances there is apparently a choice between only two, viz, for China to borrow the amount, or for foreign Governments to accept payment in annual installments.

(*b*) If China appears in the market as a borrower, the banks will charge heavy commissions—the rate of issue will require to be low to tempt investors—and the public will be hard to satisfy in respect of guarantees and conditions. This method would prove a very costly one for China, and initial difficulties connected with guarantees and considerations would only increase with the delay discussion must entail.

(*c*) If, on the other hand, foreign Governments would consent to accept the undertaking of the Chinese Government to make payment in so many annual installments, the transaction would be cheaper for China and the details could be more speedily settled. For instance, supposing the total of the indemnity principal to be £50,000,000, and China to undertake to pay 5 per cent on that amount for, say, thirty years, or £2,500,000 (17,500,000 taels) annually, the Governments concerned could either collectively or individually float an indemnity loan on their own account, and with its proceeds at once pay off the indemnities of Governments, corporations, and individuals. In this way foreign Governments and China would be mutually creditor and

debtor; monthly payments would be made to the banks as designated at Shanghai, and the banks could then surrender the Chinese bonds for monthly payments to the Chinese Government through the legations concerned.

(*d*) Of the two methods, the second is the more acceptable from the Chinese point of view.

3. What revenues can most easily be taken?

(*a*) The maritime customs revenue is at once the simplest and the best known Chinese guarantee, but as it is already pledged for existing loans it is not on this occasion available as a collateral security.

(*b*) The choice is therefore between the land tax, the likin, and the salt gabelle.

(*c*) The land tax, although a staple asset, is remitted from time to time, when crops are damaged by locusts, droughts, inundations, or earthquakes, and, being thus variable, can not be relied on to produce the same amount every year.

(*d*) Likin is a temporary tax which both the Chinese people and foreign commerce would gladly see abolished, and it would therefore be better not to pledge the Government to continue it.

(*e*) The remaining tax, the salt gabelle, is an unobjectionable item of revenue, and nothing more reliable exists. The net collection of 1899, according to the board of revenue's figures, was under 14,000,000 taels, but various inquiries go to show that 15,000,000 might be expected, and that careful handling might even raise it to 20,000,000. But it would be best to supplement this gabelle by the native customs revenue—that is, the dues and duties paid by Chinese junks, etc. The board's figures give the total net collection as something under 3,000,000 taels, but inquiry affords reason to suppose that at the treaty ports alone it could be increased to 5,000,000, while some think it might grow even to 10,000,000. Lest the salt gabelle and the native customs should fail to produce the full annual total required, it might be well to specify some other convenient items. For example, the Peking octroi could be relied on for almost 500,000 taels annually; metropolitan expenditure might contribute 3,000,000 taels from the Manchu allowances, and from 2,000,000 to 3,000,000 more might be realized by abolishing the Peking grain tribute in kind. Thus salt gabelle, native customs, Peking octroi, metropolitan expenditure, and grain tribute could be relied upon to produce the first year a clear total of 20,000,000, and in a few years perhaps 30,000,000, and this is my answer to the question, What revenues can most easily be taken?

(*f*) But before leaving this point it should be remarked that the revenue thus proposed to be set apart would be revenue deducted from funds the Government absolutely requires the use of for the current expenditure of the administration, and must be made up for by new or additional taxation in other directions. How could this be done? The matter has already formed the subject of several consultations between myself and Chinese officials, and the additional taxes proposed which find favor so far are a house tax, a stamp duty, and rearrangement of native opium duties. A house tax, to produce 20,000,000 taels a year, would be a charge of only 5 tael cents annually on each of the population, but it is likely that such a tax would yield several times that amount; that it would not be too heavy if fixed at a half month's rent, and that if made payable by all occupants direct to the yamen of the district magistrate the dishonesty or extortion of visiting collectors could be successfully combated. A stamp duty would also in time produce a considerable revenue. There are about 2,000 districts in the eighteen provinces, and it is estimated that each of these would use at least 1,000 stamps daily for bills, receipts, deeds, bank notes, pawn tickets, etc.; if each stamp were sold for 10 copper cash, or one dollar-cent, the yield at that rate would be about 5,000,000 taels a year. As regards native opium, it is calculated that there are at least 150,000 piculs, or three times the quantity of foreign opium, produced and disposed of every year; were the district magistrates charged with the collection of the duty, and duty fixed at 60 taels a picul, the collection, under improved regulations, ought to amount to some 10,000,000 taels a year. These three taxes, properly managed, should yield a very large revenue and quite suffice to make up for the withdrawal of the salt gabelle, etc., from administrative expenditure for indemnity purposes; but although they would not fall heavily on anybody, the very fact of their being newly imposed would make them unwelcome, and under the circumstances their unpopularity would connect itself with their foreign origin, and in that way cause some ill feeling it might be wiser to avoid.

(*g*) There is, however, an alternative method which would give some relief, and which, therefore, under present circumstances seems worthy of consideration. When the foreign tariff came into operation forty years ago the haikwan or customs tael, in which duties were and are payable, was worth 6 shillings 8 pence English money—that is, 3 haikwan taels were equal to £1. Since that date silver has declined in value, and instead of 3 about 7 haikwan taels must now be given for the pound sterling. The principle on which the tariff was drawn up was to fix duties at the rate of 5 per

cent on values, but the result of the fall in silver is that instead of paying 5 per cent on value most goods now pay only from 2 to 3 per cent, while many even pay but 1 or 2 per cent, and a further result has been that both the Chinese revenue has been a loser and the Chinese Government a sufferer. All this could be set right at a stroke simply by returning to the tariff value of the customs tael, and such a step would require neither revision, change, nor negotiation, a declaration by the treaty powers to the effect that the tael of the tariff means 6 shillings 8 pence English money, or its equivalent in any other national coin, and that duties must be paid accordingly, would suffice. The effect of this on the revenue of the Maritime Customs would be to increase the collection by from 10,000,000 to 15,000,000 taels, almost enough to provide for the new indemnities, and merchandise would not be taxed beyond the 5 per cent rate on values. Such additional collection would be maritime customs revenue; it would not require any new machinery for its management, while it would be a simpler and more easily handled security than the others designated.

4. What control is advisable?

(*a*) The discussion of this point is, of course, outside my province.

(*b*) But I may remark that the plan adopted under the Tientsin treaties for controlling indemnity payments was simply for the consuls concerned to repair to the custom-house at the end of each quarter and inspect the revenue statements. This was a useful formality at the start, but it soon became a mere formality and had no special effect on either the accuracy of revenue statements or the payment of indemnity money.

(*c*) If the salt gabelle, etc., are specified as the guarantees for payment of new indemnities, I may point out that the simplest solution would be the extension of the present likin control under the 4½ per cent loan agreements to the salt gabelle generally and the incorporation of the native customs at the treaty ports with the maritime customs there established. The existence of two custom-houses at the same port occasions mistakes and causes friction, and the maritime customs staff could easily assume charge of the work now in the hands of the chang shui or native customs. As regards the salt gabelle, it should be explained that the Chinese practice is to collect the tax at the place of consumption, and procedure is arranged accordingly. Any change would dislocate existing machinery, cause loss of revenue, and inconvenience both traders and public. Supervision of the kind already initiated would suffice, for the results of a four years' experiment prove that it works smoothly and adequately. The revenue pledged has been regularly forthcoming and there has been no default, and whenever any local delay has occurred orders from Pekin have at once rectified it. The amounts collected for payment of new indemnities ought to be sent to the banks monthly, but as collections vary from day to day the annual quota is the only one to be rigidly adhered to.

ROBERT HART,
Inspector-General.

Mr. Rockhill to Mr. Hay.

No. 52.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, March 29, 1901.

SIR: The diplomatic corps held a meeting to-day to consider a number of pending questions relating to the negotiations.

The French minister submitted the following proposition to govern in estimating the claims for legation guards and volunteers, which were agreed to *ad referendum:*

As regards killed or wounded soldiers, in case a claim is to be made on their account it shall be fixed at the sum of the pension to be paid said soldier or his family according to the laws of his country.

As regards volunteers killed or having been wounded so as to incapacitate them for work, the indemnity to be asked shall be calculated on the position (situation) of said volunteer and the damage resulting therefrom to himself or his family.

As, however, these classes of claims come under the heading of "Claims of Governments," according to the report of the committee of indemnities, I think these propositions are of no special value or importance.

The question was then put to the various representatives as to the acceptance by their Governments of the report of the Committee on indemnities, copy of which report was inclosed in my No. 42 of the 14th instant. The representatives of Russia, France, Germany, and Holland informed the meeting that their Governments had accepted it, conditionally, of course, on its acceptance by all the powers. I stated to my colleagues that I did not expect my Government to express an opinion on the subject until our proposal asking for a general lump indemnity to be divided among the powers proportionately to their losses and expenses had been passed upon. This proposal I communicated formally to the diplomatic corps in a memorandum dated the 28th of March. I inclose a copy herewith.

The British minister then asked the meeting to agree to extend the limit of time for the presentation of private claims from May 1 to May 14 next. This was agreed to with the qualifying words "sauf exceptions justifiées."

The German minister then proposed that the military commanders here be requested to prepare a joint report on the measures to be adopted for carrying out Articles VIII and IX of the Joint Note. Although nine of the representatives had been instructed by their Governments to favor a conference of the military representatives of only such powers as were prepared to take part with their forces in the measures adopted, the Russian and Austro-Hungarian ministers and myself having stated that our Governments, as signatories of the Joint Note, considered that they had the right to take part in the discussion of these questions, which had all a very important political side, it was therefore decided to invite all the military commanders here to bring about at an early date such a conference.

I then read to the conference the report which I had prepared with the Japanese minister as to the reforms to be introduced into the office of foreign affairs and the court ceremonial for the reception of foreign representatives in public audiences. The report was unanimously adopted without any important modifications, except the omission of the words Tsung-li Yamen as the Chinese name of the office of foreign affairs, which all the representatives, except the Japanese minister and myself, wish to have changed.

I regret that it was not possible to carry out better the instructions contained in your telegram of December 31 last to Mr. Conger, in which you said—

> if not all on modern lines, it would be highly desirable to have a minister of foreign affairs who shall speak at least one European language. He should be in a position to take his orders from the Emperor.

In view of the fact that the ministers who will, under the prince president, be at the head of the office of foreign affairs must be men of very high position in the state, wielding great power and having recognized influence, and that there is no one in China at the present time with such qualifications who speaks any foreign language, it was felt that to insist on your views would result, if adopted, in placing men of no standing or power in positions of great importance and responsibility. None of the men who have been sent abroad by China to hold diplomatic positions—the only ones who know anything at all of foreign languages—have rank, influence, or strength enough to hold the position of minister of foreign affairs and fight with any chance

of success the battle of reform which must shortly begin here and in which they must take a leading part.

In view of the above considerations, it was deemed advisable to only recommend that at least one of the two vice-ministers which the powers seek to have appointed shall know some foreign language. Some of China's diplomatic representatives abroad might fill these positions very advantageously, and later on perhaps become ministers in the office of foreign affairs.

I inclose copy of the report as it was finally accepted by the conference.

After disposing of this work the meeting adjourned.

I am, sir, your obedient servant,

W. W. ROCKHILL.

Memorandum.

[Translation.]

The Government of the United States is of opinion that the amount of the indemnity to be demanded by the powers of China should be as reasonable as possible, and in no case exceed the power of China to pay. Whatever be the method by which it is computed this indemnity should be demanded of China in one lump sum, without explanation, specifications of reasons for the demand, or indication of the proportion asked by each power.

If, however, the claims of the various powers amount to a sum exceeding the power of China to pay, they should be proportionately reduced so that the sum of the demand should not exceed the limit indicated above.

If the powers accept this proposition, after payment by China of the sum demanded, an equitable fraction calculated on the losses sustained and the disbursements of each state should be allotted to each one of them, and each power should undertake the indemnification of its nationals.

If the powers think that a settlement of the question of the distribution of the indemnity among them on the lines indicated above presents too great difficulties at Peking, the Government of the United States proposes that it shall be submitted to the Arbitral Tribunal of The Hague.

In other words, the Government of the United States proposes to the powers to fix among themselves a reasonable sum as a lump indemnity, to demand it without details or explanations of China, and to divide it afterwards among the powers proportionately to their losses and disbursements.

W. W. ROCKHILL.

PEKING, *March 28, 1901.*

Report of the commission on the reform of the Office of Foreign Affairs and on the modification of court ceremonial.

[Translation.]

Article XII of the joint note provides:

"The Chinese Government undertakes to reform the Office of Foreign Affairs and to modify the court ceremonial concerning the reception of the foreign representatives in the sense which the powers shall indicate."

The representatives of the powers have charged the Minister of Japan, the Plenipotentiary of the United States, who with their sanction have added the Counselor of the German legation, to submit a report on the reforms which they consider indispensable to attain the end which the powers had in view in imposing this demand on China.

I.

As to the reform of the Office of Foreign Affairs, the commission is of opinion that to put this bureau in a better condition to promptly and regularly transact its business it would be necessary to place in it a small number of personages of high rank

and having unquestionable power and influence with the central government. To them should be intrusted by the Emperor the exclusive conduct of direct relations with the foreign representatives. These personages should be directly responsible to the Emperor for their actions and consequently be members of the cabinet of the Emperor (Chün-Chi Chu), or have free access to him as a result of their high rank in the state.

The commission consequently recommends that at the head of the Office of Foreign Affairs there should be a Prince (Ch'in Wang), with the title of President of the Office of Foreign Affairs.

As it is presumable that the other duties of the Prince President will prevent him devoting all his time to the duties of the Office of Foreign Affairs, the commission is of opinion that under him there should be two ministers (Ta Chen), members of the Chün-Chi Chu, who could take his place in case of absence, and who would have all the necessary authority to transact all current business.

These three high officials only would carry on direct relations with the representatives of the powers and receive the foreign ministers for that purpose.

It is understood that these three high officials would either singly or collectively receive the representatives of the powers and transact business with them.

Although it would be desirable that the above-mentioned personages should have personal knowledge of foreign affairs and of the methods now generally followed by all nations of the world in conducting public business, in provision, however, of their lack of experience, the commission recommends that there should be in the Office of Foreign Affairs two Vice-Ministers, who from their personal experience would be able to place the administration of the office in greater harmony than at present with the methods obtaining abroad. One of them at least should know a foreign language.

The commission is of opinion that, with the modifications enumerated above, the transaction of diplomatic affairs with the Office of Foreign Affairs would become easier, more regular, and more rapid.

II.

Concerning the modification of Court ceremonial relating to the reception of the foreign representatives the commission has only deemed it its duty to consider the question of public or solemn audiences.

The commission is of opinion that the annual audiences given the diplomatic corps by the Emperor should take place in the T'ai-ho Tien, and that those which may be given from time to time to a single representative should be in the Chien-Ching Kung.

In every case the Emperor should receive the representatives standing and speak directly to them.

On the first audience to present his letter of credence or in the case of the presentation of a letter of the head of his State, an Imperial sedan chair and a guard of honor should be sent by the Emperor to take the representative at his residence and conduct him to the Imperial palace. The representative should be taken back therefrom with the same ceremony. In these audiences the representative should pass, until he has presented his letters, by the central doors; on leaving the audience he should comply with the custom already established in this respect.

The Emperor should receive directly in his own hands the letters which the representatives of the powers may have to present to him.

As regards the banquets which may be offered by the Emperor to the diplomatic corps, these should be in the Chien-Ching Kung, and the Emperor should assist in person.

In going to solemn audiences the representatives of the powers should be carried in their sedan chairs to in front of the hall in which the Emperor is to receive them; they should take their departure in the same way.

Such are the principal points on which the commission is of opinion that it would be proper to insist, so that the Court ceremonial relating to the reception of foreign representatives should comply with the established usages between independent and equal nations.

The ceremonial details not mentioned here which may develop in the settlement of this question should all be incorporated in the protocol which will be prepared with the Chinese plenipotentiaries.

JUTARO KOMURA.
W. W. ROCKHILL.
Baron VON DER GOLTZ.

PEKING, *March 29, 1901.*

Mr. Rockhill to Mr. Hay.

No. 54.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, April 2, 1901.

SIR: I have the honor to inform you that the list of punishments to be inflicted on officials and other persons in the provinces guilty of active participation in the murder and cruel treatment of foreigners during the antiforeign movement of last year was sent to the Chinese plenipotentiaries yesterday. I inclose herewith a translation of the joint note, signed by all the representatives except the Russian, accompanying the list. A second list of persons whose guilt should be inquired into by the Chinese Government was also forwarded with the note.

The four demands for capital punishment were necessitated by the following facts:

1. Pai Ch'ang, district magistrate of Yang-chu Hsien in Shan-hsi, was the chief instrument of Yü Hsien in carrying out the treacherous murder of over 40 foreigners—men, women, and children—at T'ai-yuan Fu on or about the 9th of July, 1900.

2. Cheng Wen-ch'i, acting taotai of Kuei-hua Ch'eng in Shan-hsi; guilty of the murder of Capt. Watts Jones, Bishop Hamer, and other missionaries.

3. Chou Chih-te, captain of the city guard at Ch'ü Chou in Che-kiang. He took a leading part in the massacre of foreigners there on the 21st, 22d, and 23d of July, 1900. Not only did he plan the attack on the missionaries, but he led the murderers in person.

4. Wen Hsing, district magistrate of Luan-ping Hsien in Chih-li. He ordered his soldiers to bury alive a Roman Catholic priest. The body was afterwards dug up and thrown into the river by his orders. Later it was recovered by the converts and buried, but he had it exhumed and again thrown into the river.

The other punishments demanded are:

Sentence of death, to be commuted to perpetual exile	11
Exile for life	13
Imprisonment for life	4
Imprisonment for a term of years	2
Cashiered for life	58
Censure	2
Posthumous degradation	2

The total number of punishments demanded amounts to 96.[1]

I have the honor, etc.,

W. W. ROCKHILL.

[Inclosure with dispatch No. 54.—Translation.]

PEKING, *March 28, 1901.*

YOUR HIGHNESS AND YOUR EXCELLENCY: You have been informed on several occasions, and particularly at the meeting which you had on the 5th of February with the representatives of the powers, that the names of the officials guilty of crimes committed in the provinces would be transmitted to you, together with the punishments which it would be proper to inflict on these officials, in accordance with article 2 of the Joint Note.

The undersigned plenipotentiaries have therefore the honor to communicate to you herewith, firstly, a list of the officials whose guiltiness they consider established and for whom they designate the punishments to be inflicted; secondly, a list of the officials who have been reported to them as seriously implicated, but concerning whom they do not possess sufficient information, and on whose cases they ask that the Chinese Government shall make an inquest.

[1] See Mr. Rockhill to Mr. Hay, No. 107, of June 5, 1901, p. 192 *et seq.*

The undersigned plenipotentiaries expect that you will request without delay, of the Throne, to terminate finally this affair, decrees in conformity with the demands which they address you. They think that without waiting for results of the inquest, which the Chinese Government should institute as rapidly as possible, it would be proper to have posted throughout the Empire, in conformity with the terms of Article X of the Joint Note, edicts stating the punishments which have been inflicted. This will assist in giving more prompt satisfaction to the requests made by your highness and your excellency, the examination into which has been adjourned until Articles II and X of the above-mentioned note have been complied with.

(Signed by all the plenipotentiaries, with the exception of the Russian.)

Mr. Rockhill to Mr. Hay.

No. 56.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, April 4, 1901.

SIR: I have the honor to transmit herewith for your information copy of a letter addressed by me to Major-General Chaffee, suggesting that he help bring about a conference of the military commanders here for the purpose of preparing a joint report on the means necessary for carrying out Articles VIII and IX of the Joint Note of December 24, 1900.

I inclose also General Chaffee's reply to the same.

I have the honor, etc.

W. W. ROCKHILL.

[Inclosure No. 1 with dispatch No. 56.]

Mr. Rockhill to General Chaffee.

PEKING, *April 2, 1901.*

SIR: The governments participating in the present negotiations having conferred together on the advisability of the various commanders in chief of the military forces now in northern China preparing jointly a plan for carrying out the provisions of Articles VIII and IX of the Joint Note, I have been instructed by the Secretary of State that the United States, as one of the signatories of said note, should, in his opinion, join, through its military representative, in determining the measures which the carrying out of said article may comport, and in which we reserve the right subsequently to participate.

In view of the above instructions I have the honor to suggest that in my opinion it seems highly desirable that such conference of the military commanders be held at the very earliest date practicable, and I would be greatly pleased if you would use your influence to bring it about.

I am, etc.,

W. W. ROCKHILL.

[Inclosure No. 2 with dispatch No. 56.]

General Chaffee to Mr. Rockhill.

HEADQUARTERS CHINA RELIEF EXPEDITION,
Peking, China, April 3, 1901.

SIR: Referring to your communication of the 2d instant, I have the honor to inform you that a conference of the commanders of the various contingents of the cooperating forces in China is to be held at the Winter Palace at 10 o'clock a. m., April 6, 1901, to discuss the military measures to be taken under Articles VIII and IX of the Joint Note.

I have signified my intention of attending the conference in person.

Very respectfully,

ADNA R. CHAFFEE,
Major-General, U. S. Army, Commanding U. S. Troops in China.

Mr. Hay to Mr. Rockhill.

DEPARTMENT OF STATE,
Washington, April 5, 1901.

SIR: I have to acknowledge the receipt of your dispatch No. 30, of February 26 last, reporting that you have agreed with your colleagues in the demand to be made of the Chinese Government for a tract of land in Peking for the diplomatic quarter, and that you have called their attention to the inadequacy of the area allotted therein to the United States. You also report that you have expressed the profound regret which this Government and people would feel in learning that any of the powers should have found it necessary, under any circumstances, to dispossess or in any way interfere with the foreign maritime-customs staff.

Your action in the matter is approved by the Department.

I am, etc.,

JOHN HAY.

Mr. Rockhill to Mr. Hay.

No. 57.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, April 8, 1901.

SIR: I have the honor to transmit herewith for your information copy of a memorandum sent by the British minister to his colleagues of the diplomatic corps on the 4th of this month, in which he reviews the present status of the negotiations and the questions which have still to be dealt with.

The most important question is naturally the evacuation by the foreign troops of Peking and other sections of this province and the reestablishment of the regular Chinese authority. It has, however, been agreed to by all the powers that the evacuation can not be commenced or any alterations made in the present mode of governing this province until, not only the total amount of the indemnity to be asked of China has been ascertained, but the securities for the payment of the same have been given and accepted by the powers. As on the other side it was agreed to extend the time for the presentation of private claims to the diplomatic corps here to the 14th of May, it seems hardly probable that the total amount of the indemnity to be asked of China can be ascertained even before the 1st of June. In the meanwhile the occupation is costing China enormous sums of money. The estimated war expenditure of the various powers which are known up to the present date are calculated up to the 1st of May. After this date it is probable that unless a considerable reduction in the forces is made that the foreign military occupation will cost China at least $8,000,000 a month. The Chinese, on the other hand, estimate that, together with the loss of revenues, the foreign occupation will cost them close on to $30,000,000 a month, and I am inclined to believe they are not far from the truth.

I have the honor, etc., W. W. ROCKHILL.

[Inclosure with dispatch No. 57.—Translation.]

Memorandum.

The joint note demanding the punishment of provincial officials implicated in the murder of foreigners in the interior has now been delivered, also a note indicating the towns where all the official examinations have to be suspended for a period of five years.

With the acceptance of the conditions prescribed in these two notes, the execution of Article II of the joint note of December 22 will be on the point of being accomplished.

Of the edicts required by Article X, the first and the fourth have already been agreed to, and a commencement of placarding has been made. It remains to placard decrees enumerating the punishment inflicted and the names of the towns where examinations are to be suspended on account of the massacres or cruel treatment of foreigners.

With the publication and placarding of the two remaining edicts in terms satisfactory to the representatives of the powers, the execution of Article X will be completed.

In a note of the doyen of 26th January, and again in one of 6th of February (see extracts at end), the foreign representatives gave the Chinese plenipotentiaries to understand that on these two articles being carried out they would be ready to discuss the military questions touched on in the Chinese memorandum of January 16, namely, Articles VIII and IX of the joint note, relative to the demolition of the forts at Taku and elsewhere, and the maintenance of the free communication between the sea and the capital, and also the question of the evacuation of the capital and of the province of Chihli.

The complete evacuation of the province of Chihli is, of course, not meant, for Article IX of the joint note implies the continued occupation for a time of several points on the line of communication, amongst which Tientsin, Shanhaikwan, Tongku, and probably several others must be included.

It seems desirable that the local judicial, civil, and police administration at these points as well as elsewhere should be handed back to the Chinese authorities, notwithstanding the continuance of military occupation, which should be limited to the performance of garrison duties.

It may be hoped that before long some plan for carrying out Articles VIII and IX of the joint note may be framed by the military authorities and receive the approval of the powers which have troops in north China.

The diplomatic body has appointed a committee to consider and report on the resources which China has at her disposal for meeting the indemnities which she will have to pay in consequence of the troubles of last summer and of the dispatch of military expeditions. This committee has already held several meetings, and will shortly be in a position to present a report containing its recommendations on this head. Consequently the foreign representatives may reasonably expect to be ready to enter upon the discussion of the foregoing subject with the Chinese plenipotentiaries as soon as, if not sooner than, the latter are able to announce that Articles II and X have received complete execution.

In approaching the question of indemnities with them, after satisfaction has been obtained on the points dealt with by those two articles, there might perhaps be advantage in intimating to them that if the attitude of China is satisfactory in regard to the initiation of the necessary arrangements, the allied powers will be ready to diminish the numbers of their troops.

The first concession which the Chinese Government will be desirous of obtaining is the evacuation of the capital. With regard to Peking, it is to be observed that at present it is divided between the American, British, French, German, Italian, and Japanese forces, and that in each quarter there is a police commissioner invested with extensive powers. Over all there seems to be a general council composed of military officers, but no official information has been received regarding its constitution and functions. Before the city can be handed over to the Chinese authorities it will be necessary to assure ourselves that they are prepared to preserve order and undertake the administration of justice and police. The same remark applies to Paotingfu, Tungchow, and such rural portions of the provinces as are evacuated by the allied troops. It is desirable that the Chinese civil administration at Peking and elsewhere should be restored before the evacuation takes place, so that no opportunity may be afforded for the Chinese authorities to give full proof of their capability to carry on the local governments, failing which the withdrawal of the allied forces would have to be postponed.

But previous to answering on this last question it will be necessary to proceed in the following order:

Firstly. The representatives of the powers having expeditionary forces in north China must be agreed among themselves that the Chinese Government, having executed Articles II and X of the joint note, and given such other proof of their intention to perform its remaining stipulations as may be judged necessary, have thereby become entitled to have the question of evacuation taken into consideration.

Secondly. The assent of the powers concerned must be obtained to the view arrived at by their representatives.

Thirdly. The powers concerned must give instructions to the generals in command to concert the necessary measures for carrying out the evacuation of the cities and districts mentioned.

Fourthly. The generals concerned must acquaint the representatives of their respective Governments with the conclusions at which they have arrived, including the dates at which the evacuation will commence and be terminated, and all other details which it may be necessary to communicate to the Chinese plenipotentiaries in order to enable them to take over military charge of the cities and districts as each is evacuated.

Fifthly. This information must be transmitted to the Chinese authorities, in order that they may be prepared to act on it.

Each of these successive steps may require from two to three weeks for its completion, owing to the necessity of so many diverse authorities being consulted, both on the spot and abroad.

It is obvious that, as the period which must elapse from the commencement of the negotiation in question to the date fixed for the completion of the evacuation can not be estimated at less than three or four months, and may possibly extend to more, a sufficient interval will be left to judge of the degree of good faith with which the Chinese authorities are acting, and to afford an opportunity of putting pressure upon them, if necessary, by temporarily suspending the movements of the troops toward the coast.

ERNEST SATOW.

Mr. Rockhill to Mr. Hay.

No. 59.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, April 11, 1901.

SIR: I have the honor to confirm the telegrams received from and sent you on the 8th and 9th instant, respectively.

As stated in the latter, your telegrams of January 29, February 19, and March 21 seem to conflict. The first named, sent to Mr. Conger, directs that "in case of protracted disagreement over the indemnity you will propose that the matter be submitted to arbitration," etc.; the second, also to Mr. Conger, "if an agreement for distribution should seem impracticable at Peking without great delay, suggest Hague arbitration," and the third directs me to endeavor (1) to have the total indemnity kept within the limit of £40,000,000; (2) that it be demanded in a lump sum, proportionate distribution to be settled among the powers, and if such settlement is impossible to suggest Hague arbitration." Your telegram of the 8th seems to include both the amount and the distribution of the indemnity in the question to be submitted to arbitration in case of disagreement; but to avoid any possible misunderstanding I deemed it prudent to ask for explicit instructions on this point.

In a circular memorandum which I sent to the various diplomatic representatives here on the 12th of March, copy of which was inclosed in my No. 52 of March 29 to the Department, I suggested that if it was found impossible to come to an agreement on the question of the *distribution* of the indemnity in Peking the matter should be referred to the Hague Tribunal.

I inclose herewith a copy of the declaration which I have to-day transmitted to my colleagues urging upon them the necessity of prompt settlement of the indemnity question on the lines indicated by you. This is, consequently, the third time that the United States representatives have made this proposal to the conference, and I will continue to urge it on every occasion, both in writing and orally.

I am, sir, etc.,

W. W. ROCKHILL.

[Inclosure with dispatch No. 59.—Translation.]

Mr. Rockhill to M. Pichon.

LEGATION OF THE UNITED STATES,
Peking, April 10, 1901.

MONSIEUR LE MINISTRE: Referring to the circular letter of the 23d of March, by which the commission intrusted by the diplomatic corps with ascertaining the conditions under which the payment of indemnities which are to be demanded of China by the powers can be made, was pleased to ask of the representatives of the powers the amount of indemnity which their respective Governments proposed to ask of China, I have the honor, under instructions from my Government, and to complete the indications contained in the memorandum on this subject which I had the honor to send you on the 20th of March, to make the following declaration:

The Government of the United States desires, as it has repeatedly declared during the course of the present negotiations, to see the powers agree without further delay on a lump sum which they shall demand as an indemnity of China. As it can not be the wish of any one of the powers that this sum of money should exceed the power of China to pay, it thinks that this indemnity should not be superior to £40,000,000 sterling.

This sum once paid by China should be equitably divided among the powers proportionately to their losses and expenses, and the United States is ready to limit its demand for indemnity to an equitable fraction of this sum acceptable to the other powers.

My Government, I take the liberty of adding, is persuaded that the above-indicated solution of the question of indemnity is the only one which offers a prompt settlement, equitable and at the same time of such a nature as to prevent delays and complications equally prejudicial to all interests in the case.

I would be greatly obliged to you, Monsieur le Ministre, if you would kindly submit this communication to your colleagues on the commission and to the other representatives of the powers in Peking.

I avail myself, etc., W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 60.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, April 11, 1901.

SIR: I have the honor to confirm your telegraphic instructions of the 10th instant.

Your instructions on the matter of fixing the amount of the indemnity to be paid by China have had, and will continue to receive, my most earnest attention.

As I have already informed you, I have stated to my colleagues that the amount of the losses and disbursements of the United States was $25,000,000, refraining, however, from saying that this was the amount we would demand of China. This I have deemed necessary in view of your oft-repeated instructions to insist, "whatever be the process by which the sum of the indemnity be reached," on the powers agreeing to a lump sum of not over £40,000,000, to be, after payment by China, divided among them equitably according to the losses and disbursements of each, the United States being willing to accept as its share any just proportion of the said indemnity it might be declared entitled to by the other powers.

* * * * * * *

The principal point is to get the total amount to be demanded of China within £40,000,000. Some of the powers appear to have calculated their losses and disbursements in a spirit of great moderation. * * *

Another question which disposes me to follow the course I have taken and leave the subject of distribution of the indemnity for later

discussion, is the urgency of getting the powers to demand an indemnity, settle the question of guarantees, begin the evacuation, and reduce the enormous cost to China which the military occupation entails. The military commanders here agree that the evacuation of Peking and Paoting Fu must either be made before June 15 or postponed to next autumn, the climatic conditions in summer not being such as to allow the moving of troops. No time should therefore be lost in forcing the settlement of the indemnity question, to which I am entirely devoting, and shall continue to devote, myself.

I am, sir, etc.,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 64.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, April 15, 1901.

SIR: I have the honor to inclose herewith for your information copy of a report made by the British special-service officer detailed to investigate the looting of the foreign settlement at Peitaiho in June last, in which is set forth the punishments meeted out to those persons found guilty of participation in said act.

I am, sir, etc.,

W. W. ROCKHILL.

[Inclosure with dispatch No. 64.]

Maj. H. Gould-Adams, special-service officer, to the general officer commanding Third Brigade, C. F. F.

SHAN-HAI-KWAN, *April 9, 1901.*

SIR: I have the honor to make the following report on my investigation regarding the looting of the foreign settlement at Peitaiho in June last, and all the punishments meted out to those found guilty.

It being manifestly impossible to punish all those implicated, I sent for the headmen of all villages within a radius of some 20 li of the settlement. Having interrogated these, I informed them that within fourteen days they must point out to the officials those whom they considered as the most guilty parties and that they would be arrested, I in the meantime holding one-half of the headmen as hostages for the production of the offenders by the other half.

In due course 18 men were arrested and their cases investigated by the magistrate of Lin-yu Hsien, acting under my orders. Of these 7 were found to be guiltless, and I accordingly discharged them on the spot.

The charges against the remaining 11 may be summed up under the following heads:

(1) Those who looted, applying the goods to their own use.

(2) Those who received the looted property.

(3) Those who looted themselves and incited others to loot, with the idea of buying from them, and who made a large business out of it by carrying the goods away and selling them in towns such as Changli and Funing.

Of the 11, some 6 belonged to the two former classes and the remaining 5 to the last.

I thereupon instructed the magistrate that all must be punished in conformity with Chinese laws, and he accordingly sentenced the 6 as above to various periods of imprisonment (under Chinese conditions).

The latter 5, he said, should be executed. So I told him to proceed in the usual way and apply to the viceroy, Li Hung-chang, for the necessary sanction.

In consequence, on Friday, 29th of March, I proceeded with the magistrate to see the execution carried out at Pei-tai-ho.

Having arrived on the scene, all the headmen petitioned that two of the con-

demned, having hitherto led exemplary lives, might be spared. I agreed to this, having consulted the magistrate, and they were accordingly sentenced to imprisonment instead.

The sentences on the remaining three were carried out.

This disposes of all the cases tried; but still there are two men of wealth who live at Chang Li whom I have been unable to arrest as yet, and I am afraid that it will be impossible to do so, as, being well off, they no doubt are able to bribe freely.

These men are perhaps the most guilty of all, and if caught they will be brought to justice; but at present, so it is said, their whereabouts are not known.

I trust that the foregoing may be considered sufficient punishment (fines and any effort to recover property were precluded by His British Majesty's consul, the latter being, or its value, covered by the indemnity), and that the facts may be made known to all consuls to prevent any further punitive action at Pei-tai-ho or the posts of other powers, as I have intimated to the people that the matter may be considered as settled.

I have the honor to be, sir, your obedient servant,

H. E. N. GOULD-ADAMS, *Major, S. S. O.*

No. 271.]

CHIEF OF THE STAFF:

Forwarded. A copy has also been sent to the British consul at Tientsin.

A. I. F. REID,
Major-General, Commanding Third Brigade, C. F. F.

SHANHAIKWAN, *April 9, 1901.*

HIS BRITISH MAJESTY'S MINISTER:

Forwarded for information. Return requested.

ALFRED GASELEE,
Lieutenant-General Commanding, C. F. F.

PEKING, *April 13, 1901.*

Mr. Rockhill to Mr. Hay.

No. 67.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, April 16, 1901.

SIR: Referring to the subject of the interdiction of the importation of arms and ammunition into China, I have the honor to transmit to you herewith a copy of the report of the commission charged with determining the measures which seem necessary for carrying out the provisions of this article of the Joint Note.

I agreed with my colleagues in reporting these measures as necessary, but, as stated to you in my dispatch No. 39 of March 12 last, I doubt whether any serious attempt is made, except, perhaps, by Russia, to carry it into effect.

I am, sir, etc., W. W. ROCKHILL.

[Inclosure to No. 67.—Translation.]

Report of the Commission on the interdiction of the importation of arms and munitions.

[Received by the diplomatic corps March 20, 1901.]

[N. B.—The parts between ( ) were struck out by the diplomatic corps; the parts in italics were added.]

The commission deems it its duty to call the attention of the representatives of the powers to the wording of Article V of the Joint Note concerning the interdiction of the importation of arms.

Said article provides for "the maintenance, under conditions to be settled between the powers, of the interdiction of the importation of arms and of material used exclusively in the manufacture of arms and ammunition."

It is beyond a doubt that, in the opinion of the representatives, it was stipulated to forbid the importation into the Chinese Empire: First, of arms; second, of ammunition for firearms; third, of material used exclusively in the manufacture of arms, and fourth, of material used exclusively in the manufacture of ammunition.

So as to prevent the omission in Article V of the words "and of ammunition" after those of "interdiction of the importation of arms," giving rise to misunderstandings, the commission is of opinion that it would be advisable to clearly define in the future correspondence of the representatives of the powers the four classes of objects the importation of which is forbidden by the joint note.

As the carrying out of Article V of the joint note depends much more on the powers themselves than on China, the commission deems it absolutely essential that all the powers having treaties with China should reach an agreement between themselves to maintaining in their domains the prohibition of the exportation to China of arms, of ammunition, and of material used exclusively in the manufacture of arms and of ammunition.

The commission is of opinion that the enumeration of the objects whose exportation to China should be prohibited can only be made by the authorities competent in the matter.

(The list of the objects should be communicated by the Governments to the foreign representatives at Peking so that the latter may take) *When the list of the objects shall have been agreed to by common consent by the Governments, the representatives of the powers at Peking shall take* the necessary measures to preclude the possibility of their fraudulent entry.

These measures can only prove efficacious if the authorities intrusted with carrying them out are given the right of seizure and of confiscation of the contraband articles and of the ships taken *flagrante delicto* (transporting contraband destined for China on discharging it) *on arriving in China with contraband on board or unloading it* either in an open port or on the coast.

In the opinion of the commission, these authorities should be:

1. The Maritime Customs, who should be responsible for all fraudulent importation by a foreign ship into the open ports, who would have the right to seize any ship, as well foreign as Chinese, and its cargo, as well in the open ports as on the coast, and who would hand over the captured ships and cargo to the consul of the ship's nationality in the first port in which there was one, in case the ship is foreign, and to the consular body of the port, in case the ship were Chinese.

2. The consulary body and the consuls who would have the right to lodge information concerning any attempt to land contraband, no matter to what nationality belongs the ship carrying the contraband destined for China, to the officers of the customs and to the other competent authorities (commanders of ships of war, consuls at neighboring ports, etc.), to confiscate the cargoes and to prosecute before the consuls the ships captured and the persons taking part in the bringing in of contraband.

3. The commanders of ships of war, who would have the right to seize *on arrival* the ships and the contraband and to deliver them to the first ship of war of the nationality of the ship taken in the act of unloading contraband or to the consul of its nationality in the neighboring open port in case the ship is foreign, and to deliver it to the consular body of the nearest open port in case of a Chinese ship. *The consular court who, in this case, shall be called upon to adjudicate shall be constituted on the lines of the court of consuls of Shanghai. This tribunal shall order the destruction of the contraband, the confiscation and the sale of the ship, the amount to be handed over to the maritime customs.*

(In the latter case the contraband shall be destroyed.)

The commission thinks it necessary for the countries conterminous with China to adopt on their part the indispensable measures necessary for the interdiction of the importation into China of arms, ammunition, etc., by land routes.

The commission is of opinion that a period of at least five years (the diplomatic corps divided on the figure of five years, adhered to only by a majority), should be fixed for the interdiction of the importation of arms, etc., with faculty of extending the term if all the powers agree thereto.

Finally, the commission thinks that an Imperial edict should be issued and published in China forbidding the importation of arms, ammunition, etc.

MICHEL DE GIERS,
ERNEST SATOW,
W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 69.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, April 16, 1901.

SIR: I have the honor to report that the diplomatic corps held a meeting to-day to consider the terms of a note to be addressed to the Chinese peace commissioners embodying the views of the powers on the reform of the office of foreign affairs and on court ceremonial. I inclose herewith copies of the notes which we agreed upon in sending.

I presented to the diplomatic corps the request of the Chinese plenipotentiaries that the archives of the Tsung-li Yamen should be restored to them, and expressed the hope that my colleagues would agree to do so at once. This proposition met with no objection, but the German minister stated that he would not be able to have the yamen itself turned over to the Chinese, as it is at present occupied by troops of his country.

The diplomatic corps also considered a letter from Field Marshal Count von Waldersee, reporting the conclusions reached at a conference of the commanders of the various contingents here concerning the military measures necessary to be taken for carrying out Articles VIII and IX of the Joint Note. I inclose herewith translation of the letter of the field marshal, together with a letter to him from General Chaffee, correcting some errors, and the marshal's reply thereto.

The conclusions of the military commission as to the military works to be razed under the provisions of Article VIII met with the objection of the Japanese minister, who thought that the terms of the article only provided for razing "forts," whereas the commission has recommended that a number of other works, camps, arsenals, etc., be also destroyed. I agreed with my Japanese colleague, and availed myself of the opportunity to urge your views, that dismantlement of the forts seemed better than the razing of them, in view of the fact that military occupation by foreign forces of this part of China being only temporary, the Chinese, after its cessation, would be deprived of necessary means of defense against an enemy; that as long as the foreign forces were here they could either occupy these positions or see that they were not occupied by the Chinese. Further discussion of the letter of the marshal and the answer to be made by the diplomatic corps was reserved until the meeting to be held to-morrow. A general discussion, however, ensued on the question of evacuation, and on the necessity of promptly taking some steps which would tend to facilitate the transmission of administration from foreign to Chinese hands.

All the ministers were in favor of mixed civil government as a first step toward this restoration of Chinese rule, except the German, who stated that his military authorities here were strongly opposed to it, and that they thought Chinese civil authority should only be restored in the various localities after the evacuation by foreign troops. The French minister expressed the opinion that the various generals should be informed at once that partial evacuation might begin without further delay, that the state of the negotiations do not justify the prolongation of the present strong occupation of many localities. This suggestion met with general approval, a qualified one only on the part of the German minister, who stated that he did not think this met with the approval of his military authorities. I availed myself of the opportunity to call the attention of my colleagues to the remark made by the field marshal in his letter of April 6, that if the evacuation

of Paoting Fu and Peking was not made by the 15th of June it could not be carried out until next autumn, and urged that some step be taken to ascertain the ability and willingness of the Chinese to protect the life and property of foreigners, and that not a day should be lost, as the two months which still separate us from the middle of June was a short enough period to determine this fact. The ministers agreed to this, and several of them stated that, had they instructions from their Government concerning the payment of the indemnity, it would be an easy matter to carry out promptly the evacuation, but unfortunately they were still without them.

I shall endeavor to-morrow to bring the discussion on your proposition of a lump sum indemnity, which it was impossible to do in the meeting to-day.

I have the honor to be, etc,,

W. W. ROCKHILL.

[Inclosure No. 1, with dispatch No. 69.—Translation.]

M. de Cologan to Prince Ching and Li Hung-chang.

PEKING, *April 17, 1901.*

YOUR HIGHNESS AND YOUR EXCELLENCY: The representatives of the powers have taken, concerning the modifications to be introduced into the court ceremonial, the following resolutions, of which they ask the execution, in conformity with Article XIII of the Joint Note.

The solemn audience given by the Emperor to the diplomatic corps shall take place in the T'ai-ho Tien. Those given to one of the representatives of the powers shall take place in the Chien-ching Kung.

When a diplomatic agent shall present his letters of credence or a communication from the head of the state by whom he is accredited, the Emperor shall send him an Imperial sedan chair and an escort of honor, which shall take him at his residence and conduct him with his suite to the palace, where he shall be received. He shall be reconducted with the same ceremonial. In going to these audiences the diplomatic agent shall pass through the central doors until he has handed in his letters of credence or his communication. In going away he shall comply with the usage already established.

The Emperor shall receive directly into his hands the letters or the communication which the diplomatic agents shall have to give him.

In going to solemn audiences the representatives of the powers shall be carried in their chairs to before the hall in which they are to be received by the Emperor. They shall again take their chairs at the spot at which they previously left them.

The Emperor shall be present in person at the banquets which he may offer to the diplomatic corps, as he used to do every year before the events of last year, and these banquets shall take place in the Chien-ching Kung.

In a general way my colleagues declare that the court ceremonial relating to their receptions should be in harmony with the usages established between independent and equal nations, and they ask that the details concerning the settlement of this question, of which they confine themselves to pointing out the general features, shall be incorporated in a protocol drawn up with them and the plenipotentiaries of the Imperial Government.

I beg your highness and your excellency to be so kind as to request of the Throne the necessary measures for carrying out these resolutions.

B. J. DE COLOGAN.

[Inclosure No. 2 with dispatch No. 60.—Translation.]

M. de Cologan to Prince Ching and Li Hung-chang.

PEKING, *April 22, 1901.*

YOUR HIGHNESS AND YOUR EXCELLENCY: According to the terms of Article XII of the Joint Note, His Majesty the Emperor of China agreed to "reform the

Office of Foreign Affairs in the manner which the powers shall point out to him." I have the honor to inform you by this dispatch of the resolutions taken by my colleagues on this subject.

The fact being admitted that the Tsungli Yamen has during the forty years of its existence clearly shown that it is incapable of discharging the functions with which it was intrusted, the representatives of the powers have deemed it necessary to substitute in its place, for the good of China and for the harmonious relations between the Empire and the foreign governments, an organization analogous to those which exist in other countries.

They have thought it essential to give the future Office of Foreign Affairs all the guarantees of ability, of regularity, of promptness and wise administration, failing which the former one has manifested its incapacity, and without which the new one could not fulfill its true object.

They have not been less preoccupied with the desire to put in the forward place which belongs to it in the Empire a power whose mission it is to regulate, in the name of the Emperor, the questions which should occupy the first rank in the preoccupations of China.

The representatives of the powers think in the first place that the functions previously intrusted to the Tsungli Yamen were divided between a too large number of personages, and that it is proper to substitute in the place of responsibilities too scattered and ill-defined a more real and effective responsibility.

They are of the opinion that the Office of Foreign Affairs should have at its head a single minister, with the rank, influence, and power corresponding with the requirements of his situation. This minister, who shall have the title of "President of the Office of Foreign Affairs," shall be a Prince (*Wang*) or a duke (*Kung*), and shall therefore belong to the Imperial family. He shall have two assistants, one of whom shall be chosen from among the members of the Grand Council (*Chün-chi-Chu*), and the other shall have at least the personal rank of President of one of the Ministries or Boards (*Pu*). The three together shall have the exclusive charge of the direct relations with the foreign diplomatic agents. They shall each of them be given the salary and the dignities conformable with the high functions with which they shall be invested and in conformity with the usages obtaining in all civilized countries.

They shall receive, either separately or all three together, the diplomatic agents who may have to treat with them in the name of their governments affairs concerning China. When the business is particularly important, and the diplomatic agents express the desire, the President of the Office of Foreign Affairs shall be personally present, either alone or with his assistants, at the interviews which may be asked of him. It is only on account of the probable multiplicity of his occupation and because his other obligations as a member of the Imperial family may prevent him from devoting all his time to the ministry that two collaborators are given him. But in reality it is he who in the management of affairs has the proper duties and responsibility; it is only his name and his address which figure on the official correspondence from the diplomatic agents, and his two colleagues who have rank and title less than he, have principally for duty to transact current affairs, though having, nevertheless, authority to take up the others.

The name of "Tsungli Yamen," which recalls such unfortunate remembrances and which does not indicate sufficiently the importance and authority of the power to which belongs, under the responsibility and the orders of the sovereign, the highest functions of the State, is done away with. It shall be replaced, in virtue of an Imperial decree, by that of "Wai-wu Pu," and in the official order of precedence the Wai-wu Pu shall pass before the six Boards or Ministries.

It is desirable that the three members of the Wai-wu Pu shall have as extended a knowledge as possible of international questions and of the methods generally followed in their settlement in civilized countries. So as to have from this latter point of view an additional guaranty, it will be necessary that under the orders of the three members of the Wai-wu Pu there shall be appointed, with the title of "Chief of Bureau," two officials, able by their experience and ability to place the department to which they are attached in more real harmony than was the Tsung-li Yamen with similar organizations existing in foreign countries. It would be equally desirable that one of these high officials should know a European language.

Such are the conditions laid down by the representatives of the powers for the reform of the Office of Foreign Affairs of the Empire, and I have the honor to request of your highness and your excellency to please request of His Majesty the Emperor of China the necessary orders to have the same carried into effect.

B. J. DE COLOGAN.

[Inclosure No. 3 with dispatch No. 69.—Translation.]

Field Marshal Count von Waldersee to Mr. de Cologan.

ARMY HEADQUARTERS IN EAST ASIA,
Peking, Winter Palace, April 6, 1901.

YOUR EXCELLENCY: I have the honor to inform your excellency, as the doyen of the diplomatic corps, that, upon the wish of that body, as expressed to me by the German minister, a conference of the officers commanding contingents was held to-day to consider the necessary measures for the execution of Articles VIII and IX of the conditions of peace. I am authorized to communicate them to your excellency as follows:

Article VIII: By the unanimous decision of officers commanding contingents, my proposition was accepted that the following fortifications, which, by their nature and position, might interfere with free communication between Peking and the sea, should be razed.

(1) The military camp at south exit from Yang-tsun, if it is not required for the accommodation of the garrison to be left there.
(2) The military magazine of Siku, Tientsin.
(3) The yellow fort, Tientsin.
(4) The black fort (citadel), Tientsin.
(5) The east arsenal, Tientsin.
(6) The two camps at Chun-liang-cheng.
(7) The four camps at Hsinho.
(8) All the fortifications at Takn, viz:

On the right bank of the Peiho, the coast battery, with the camp attached to it, and the south fort of Taku, with its camp, and on the left bank the northwest and north forts.

(9) All the fortifications at Pei-tang, viz, the south fort (fort No. 1), the central and north forts (forts Nos. 2 and 3), the two earthworks to the north of these, and the camps between the line of the forts and the railway.

(10) All the camps at Lutai within a distance of 2,000 meters from the railway embankment.

(11) The camps between Tangho and Shanhaikwan within a distance of 2,000 meters of the railway.

All the forts at Shanhaikwan threaten the railway and roadstead and should be razed. As, however, they are suitable for the accommodation of the international garrison to be left at Shanhaikwan, they should be retained for the present.

The west arsenal at Tientsin, which is of no military importance, should not be razed, and the high mud wall, which lies in the Russian cession, should be placed at the disposal of the Russian authorities.

Article IX: All the officers commanding contingents were unanimous in recognizing the necessity of maintaining permanently a strong garrison at Tientsin and Shanhaikwan-Chin-wang-tao, the garrison at Tientsin being fixed at 2,000 men of all arms, and that of Shanhaikwan-Chin-wang-tao at 1,500 men. Germany, France, Great Britain, Italy, and Japan will find their share of the garrison of Tientsin, and Russia and the above-mentioned powers, less Italy, of that of Shanhaikwan.

Austria-Hungary will only leave small guards in Shanhaikwan and Tientsin.

My further proposal to arrange for permanent garrisons at various points along the railway—Peking, Taku, Shanhaikwan—to secure free communication between the capital and the sea, met with full approval. Only the American general, Chaffee, was of the opinion that an occupation of Peking, Tientsin, and Shanhaikwan would be sufficient.

It was decided to occupy Hwang-tsun, Lang-fang, Yang-tsun, Chun-liang-cheng, Tongku, Lutai, Tongshan, and Changli each with 300 men, including 50 mounted men, a few machine guns being left at each.

The distribution of these garrisons at the various contingents was arranged after consultation as follows: Italy occupies Hwang-tsun; Germany, Lang-fang and Yang-tsun; France, Chun-liang-cheng and Tongku; Great Britain, Lutai and Tongshan; Japan, Lanchou and Changli.

It is to be remarked that the Russian general de Wogack, expressed the view that the occupation of some of the above-mentioned points might be dispensed with.

The quartering of the troops in the various garrisons is to be undertaken by the contingent concerned. Each garrison will be responsible for the safety of the railway line to half way to the next garrison on each side of it. As long as the railway remains under military control the railway stations will remain occupied by British police guards. Every power has the right of leaving small lines of communication detachments at important points, such as Tongku.

Between the present occupation and the permanent settlement there will be a transition period in which special measures must be taken. It was uniformly recognized as necessary that for this period the garrison of Tientsin should be raised to 6,000 men. The surplus of 4,000 men above the numbers of the permanent garrison will be found by France, Great Britain, Japan, Italy, and Germany. During this period also the provisional government of Tientsin will continue in the exercise of its functions. The lines of communication stations on the Pei-ho, Hoshi-wu, Matou, and Tungchou must remain occupied. The time for the withdrawal of this reenforcement must be reserved for ulterior consideration by the governments, as must also the fixing of the date on which it will be possible to limit the permanent measures of security which have been considered above. It will only be possible later on to judge when this latter measure can be taken, and it depends upon the question of whether the Chinese Government is strong enough and shows an honest desire to take over itself the protection of the life and property of foreigners.

The creation of a common commander in chief, both during the transition period and for the permanent occupation, is considered by all commanders of contingents as urgently desirable from a military point of view. It was also considered as desirable that a change should be made in the chief command about once a year, so that all the contingents should take their turn in furnishing the commander in chief.

After the consideration of the executive measures to be taken in the carrying out of Articles VIII and IX was concluded, the manner in which the evacuation of the province of Chihli was to be conducted, as being closely connected with the above measures, was debated upon.

It was agreed that it would be impossible to assemble large bodies of troops at Tientsin, as this, especially in summer, would entail grave danger from a sanitary point of view. It therefore follows that, simultaneously with the evacuation of Peking and Paoting Fu, the transport of the troops to their own countries must begin, and that therefore the evacuation can not begin until the necessary transport ships are ready and on the spot. It was further recognized that in the months of July and August the marching of large bodies of troops in the direction of Tientsin-Tongku would be impossible. The consequence of this is that the evacuation of Peking and Paoting Fu must be completed by the 15th of June, unless the occupation is to be extended till autumn.

The handing over of the civil government to the Chinese authorities can only take place after the evacuation of the towns in question; but it is proper and necessary that Chinese troops should be allowed previously to approach so that guard and police duties might be handed over to them direct. Thus the outbreak of troubles and risings of the people in the larger centers will be effectively prevented.

At the close of the conference an understanding was come to as to the strength of the legation guard, which will not exceed a total of 2,000 men. There will be left in Peking:

	Men.
America	150
Germany	300
France	300
Great Britain	250
Japan	300
Italy	200
Austria-Hungary	200
Russia	300

COUNT VON WALDERSEE,
Field Marshal.

[Inclosure No. 4 with dispatch No. 69.—Translation.]

HEADQUARTERS CHINA RELIEF EXPEDITION,
Peking, China, April 9, 1901.

YOUR EXCELLENCY: I have the honor to acknowledge receipt of a copy of your letter, dated April 6, to his excellency M. de Cologan, dean of the diplomatic corps, setting forth the recommendations of the conference of the commanders in chief of the different contingents regarding the execution of Articles VIII and IX of the Joint Note submitted by the diplomatic corps to the Chinese representatives. It is observed that your excellency states that "By unanimous decision of the commanders of the contingents, my proposition was accepted, to wit: To raze the following fortifications, which, on account of their location and nature, might hinder the free communication between Pekin and the sea."

It is noticed that your letter does not state that dismantlement of the fortifications would be a satisfactory compliance with Article VIII to the United States, as was stated by me to your excellency and others present. This matter is material only in conserving on this occasion record of my statement at the conference, as dismantlement of the forts referred to was the position held by the United States through its minister when the joint note was under discussion by the diplomatic corps; so I have been informed.

It is also noted that your excellency states regarding the points to be occupied that "Only the American general, Chaffee, was of the opinion that occupation of Peking, Tientsin, and Shanhaikwan would be sufficient." My proposition, as stated at the conference, was that Peking, Yangtsun, Tientsin, Tonku, Tongshan, and Shanhaikwan should be occupied.

With assurances of my high esteem, I remain your excellency's obedient servant,

ADNA R. CHAFFEE,
Major-General, U. S. A., Commanding United States Forces in China.

His Excellency Field Marshal COUNT VON WALDERSEE,
Commanding Allied Forces in China.

[Inclosure 5, with dispatch No. 69.—Translation.]

To the Doyen of the diplomatic corps.

ARMY HEADQUARTERS, PEKING, WINTER PALACE, *April 13, 1901.*

YOUR EXCELLENCY: Referring to my communications of the 6th instant, Nos. 1390, 1391, I have the honor to inclose you a copy of a letter from Gen. Sir Alfred Gaselee (British), General Chaffee (American), and Colonel Garioni (Italian).

In regard to the contents I have to say—

First. I concur entirely in the opinion of Gen. Sir Alfred Gaselee. I only said in my communication that the designation of a common commander was urgently desirable from a miiitary point of view, but as this, like the other points under discussion, will of course be decided by the allied powers, I have not given it special attention.

Second. Article VIII of the joint note provides that the Taku forts and other remaining fortifications, which can hinder free communication between the capital and the sea, are to be razed. At the conference the commanders of the contingents therefore only discussed the razing of those fortifications which are referred to in this provision. The statement of General Chaffee that a dismantlement of the forts would be sufficient escaped me, as well as his remark that he considered the continued occupation of Yungtsun, Tongku, and Tangshan to be necessary.

Third. The right declared by Colonel Garioni in his letter to continue to take part in the occupation of the Shanhaikwan forts as at present is also, in my opinion, in no way modified by his declaration not to take part in the continued occupation of Shanhaikwan-Chinwangtao.

Besides it is guaranteed by the provision that every power has the right to have depots at important points on the lines of communication.

GRAF V. WALDERSEE,
General Field Marshal.

Mr. Rockhill to Mr. Hay.

No. 70.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, April 17, 1901.

SIR: The diplomatic corps continued to-day the discussion of the letter of Field Marshal Count von Waldersee, begun in its meeting of yesterday, as reported to you in my dispatch No. 69. The conclusions reached in the marshal's letter concerning the carrying out of Article VIII were accepted by the ministers, who will recommend their adoption to their respective governments. I again objected to the razing of the forts and to the inclusion of works other than forts in the number to be destroyed, as did also the Japanese minister. As,

however, the Japanese minister finally withdrew his objections, I did not think proper to insist. So I stated that I accepted the views of the majority, though with the greatest reluctance. The field marshal in his letter expresses the belief that until the end of the occupation the provisional government should continue in the exercise of its functions. I expressed the opinion that it would be better if this Provisional Government should cease to exist as soon as conditions justified handing over the city of Tientsin to the Chinese authorities. The French, British, and Russian ministers agreed with this proposal, and the diplomatic corps finally expressed the wish that "the Provisional Government shall hand over to the Chinese authorities the powers which belonged to them in normal times as soon as the situation will permit it and without prejudice to the military occupation." The German minister declined to express an opinion on this subject. All the others favored it.

The discussion again coming up on the question of beginning the evacuation, I recalled to the meeting the French minister's proposal that the time had come when the generals might be informed that the commencement of evacuation seemed necessary. He repeated his former remarks, and added that he thought the military commanders might be informed that the withdrawal of the expeditionary corps could begin. This would in no way affect the maintenance of the forces of occupation. The Japanese minister stated that he would like to see the evacuation of Peking and Paoting Fu effected as soon as possible; that he deemed the presence of troops at Tientsin sufficient pressure to secure prompt compliance by the Chinese Government with the demands of the powers concerning indemnity. I stated that I believed it was not necessary to begin a discussion of the question with the Chinese; that we could confine ourselves to beginning a reduction of the forces, which could be steadily carried on, if conditions admitted of it, or stopped if they did not, but that in view of the marshal's statement that Peking and Paoting Fu must be evacuated prior to the 15th of June or only next autumn, I thought that everything should be done to hasten it, as the military occupation was costing enormous sums to China and the country was also suffering indirectly by it large loss of revenue. The British minister agreed in a general way with our views concerning the desirability of at once beginning a reduction of the military forces, while the German minister refused to discuss the question of evacuation, unless considered jointly with that of the payment of the indemnity.

On the proposition of Sir Ernest Satow, the following statement was agreed upon to be telegraphed by the ministers to their respective governments, and if approved by them to be communicated to the various military commanders: "A partial reduction of the troops is already possible, but the evacuation, properly so called, can not commence before the Chinese Government has fulfilled the conditions of Articles II and X of the Joint Note, and has accepted the general principles which will be laid down for the payment of the indemnities. That is to say, the sum total and the mode of payment."

The paragraph of the marshal's letter 5, concerning the handing over of the civil government to the Chinese authorities occasioned some discussion. The opinion of all the ministers was that the civil administration should be transferred to the Chinese not after the evacuation, but some time before; not less, certainly, than three weeks or a month. Here again the German minister declined to express an opinion contrary to that of the field marshal.

The force indicated for legation guards seems now to the ministers here to be a very large one. The French, Russian, Austrian ministers and myself, expressed the belief that it was probable that the Chinese Government would not return to Peking with a force of 2,000 foreign troops in the capital. While the diplomatic corps will not recommend any reduction of this force at the present time, it is highly probable that it will be very considerably reduced as soon as may be. There is a strong desire among many of my colleagues to prevent any one nation having a larger guard than another. The German minister thought that if one of the powers should withdraw its guard another should have the right of bringing the total of the Peking garrison to the regular number. This opinion found no support in the meeting.

The draft of a letter to the Chinese plenipotentiaries was then read, in reference to the international settlement on the island of Ku-lang su (Amoy), asking them to take steps at an early date to have created the international settlement there which the powers understood the Chinese authorities were willing to make. I will send you a copy of this communication within a few days.

The British minister then presented some remarks of his Government on the report for the assessment of claims adopted by the diplomatic corps. The British Government states that it will not ask indemnities for legation guards, and then enumerates a number of claims which the diplomatic corps had agreed to allow, but which it thinks are of a very doubtful nature, but in case the powers do not agree to this it suggests they should be most carefully scrutinized before presentation. Sir Ernest also stated that 5 per cent should be the limit of interest asked in all cases. The British minister also resubmitted a proposition of his Government, which meets with the support of the German and Italian ministers, that all private claims should be examined by a committee of the diplomatic corps so as to ascertain whether they have all been passed upon in uniform way and in strict conformity with the rules adopted. I abstained from voting on any of these propositions, not being in a position to consider any suggestions concerning claims until the general proposal of my Government on the presentation of a lump sum indemnity has been voted on.

The diplomatic corps then adjourned without fixing a day for its next meeting.

I have the honor to be, etc.,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 71.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, April 24, 1901.

SIR: I have the honor to confirm my telegram to you of the 18th instant.

In view of the fact that the amount of the indemnity to be paid by China is under constant discussion by the foreign represenatives here, and that they have apparently decided not to wait for China to suggest acceptable financial measures for its payment, as provided by Article VI, paragraph (*b*), of the Joint Note, but to inform her of the measures they consider best, I am most desirous of knowing your views on the subject.

The Chinese naturally desire a joint guarantee of any loan or bonds they may have to issue, as it would save them a very large sum, and some of the powers, Russia, I believe, included, would like to see a joint guarantee of all the powers given.

Sir Robert Hart told me recently that the London bankers advise him that on the securities mentioned by him in his memorandum (see my dispatch No. 50, of March 28) a loan of from £30,000,000 to £40,000,000 could be placed. He thinks it quite impossible to float it at over 80, possibly much less, in view of the present stringency of the money market.

I am, etc., W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 72.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, April 24, 1901.

SIR: In further reference to the letter of Field Marshal Count Waldersee, embodying the recommendations of the military commanders for carrying out Articles VIII and IX of the Joint Note, copy of which I transmitted to you in my No. 69 of the 16th instant. I now have the honor to inclose translation of the reply to same, agreed upon yesterday by the diplomatic representatives, subject to the approval of their governments.

I have to request that you will inform me at your earliest convenience if this reply is approved by you.

I am, etc., W. W. ROCKHILL.

[Inclosure with dispatch No. 72.—Translation.]

PEKING, *April 24, 1901.*

MONSIEUR LE MARÉCHAL: I hastened to communicate to my colleagues your letter of 6th of April, concerning the resolutions taken by the commanders of the allied forces for carrying out Articles VIII and IX of the Joint Note.

As regards the questions of a military nature treated of in your letter, the representatives of the powers have adopted, subject to the approval of their governments, the propositions which you have made known to them.

Thus they have adopted the opinions expressed by the commanders of the allied forces concerning the enumeration of fortifications to be razed, the designation of points to be occupied between Peking and the sea, the distribution of nationalities in the posts which are to be established, and the total figure of the forces which shall occupy the different posts. They have noted, however, that the distribution of the total of the effective forces between the various nationalities has not been indicated for Tientsin and Shanhaikwan.

As regards the questions which are at the same time of a military and political nature, the representatives of the powers express the following opinions:

Concerning the garrison of 4,000 men which is to remain, provisionally, at Tientsin during the period which will follow the present occupation, the commanders of the allied troops should indicate, by nationality, the proportion of this garrison, so that this proportion can be submitted to the various governments.

Concerning the Provisional Government of Tientsin, it should transmit its powers to the native authorities as soon as the situation will permit of so doing and without this measure having any reference to that of military occupation.

Concerning the unity of the chief command, the majority of the ministers have pronounced themselves in favor of the suggestion made by the commanders of the allied troops. It is understood, nevertheless, that the legation guards at Peking should be in the future and until ordered to the contrary, outside of the troops placed under the supreme commander.

Concerning the question of military evacuation, a proposition in the following words has been submitted unanimously by the representatives of the powers to

their governments: "A partial reduction of troops is already possible, but the evacuation, properly so called, can only commence when the Chinese Government has fulfilled the conditions of Articles II and X of the Joint Note, and when it has accepted the general principles which shall be indicated to it for the payment of the indemnity. That is to say, the sum total and the mode of payment."

Concerning the conditions of the transfer of the local administration to the native authorities, the commanders of the allied troops should study if, one month before the evacuation, the police and administration of Peking can not be intrusted to the civil Chinese authorities, under the superintendence of the foreign military troops. It is to be noted, in this connection, that there has never been in the city of Peking a military administration nor a permanent military garrison. The banner troops can not be considered as such.

The other questions treated of in the letter of your excellency have been examined and noted with all the care and attention which they deserve. The representatives of the powers will not fail to give them such consideration as may be necessary, and to inform, in proper time, the commanders of the allied troops through your excellency.

Mr. Rockhill to Mr. Hay.

No. 74.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, April 23, 1901.

SIR: The diplomatic corps held a meeting to-day, at my request, to consider the proposition of the United States concerning the indemnity to be asked of China, which I had made known to it in my memoranda of March 29 and April 11, copies of which I had the honor to transmit to you in my dispatches Nos. 52 and 59.

I outlined the considerations which I thought imposed the solution of this question, as suggested by you, as the only just, reasonable, and politic one which could be found. The powers had declared that the disorders in June of last year could not serve as a pretext for the acquirement of territory or any other special advantages, consequently the indemnity could only be paid in money. The terms of the Joint Note of December 24 last stated that the indemnity should be "equitable," in other words just and reasonable, by which we understood that it should not exceed the power of China to pay without creating for it grave financial embarrassments, prejudicial to the administration of the country, administrative reform, and to all foreign interests, and which might compel it to have recourse to financial expedients, which all the powers must condemn, imperiling the independence and integrity of the Empire.

Since the indemnity to be asked of China must therefore be reasonable, it mattered little to us whether its annual revenue were eighty or a hundred or more millions of taels. We were bound to only ask that which China was in a position to pay us of our losses and expenses, and it was not for us to seek to ascertain what was the full extent of China's resources so as to exact the last cent of it of her. The Government of the United States thought that the limit of China's ability to pay, under the conditions specified, was £40,000,000 sterling.

The payment of this sum would cost China over £50,000,000, but it was our belief that she could pay it; but any additional demand would expose foreign interests to the gravest danger. I referred to our declared policy here, by which we sought, among other things, to prevent the recurrence of antiforeign troubles, and said thatwe must therefore try to prevent as much as possible the imposition of new taxes upon the Chinese people for the payment of indemnities, for

by so doing their hostility would be intensified and perpetuated, and that we should ultimately lose much more than the few millions which we now sought to secure.

The Russian minister stated that he had communicated your proposal to his Government, but had received no reply. In principle his Government was willing to accept what China was able to pay. That so far as that went he accepted our proposition, and thought that undoubtedly the resources of China should be taken into consideration in assessing the amount of the indemnity. As to the figure fixed by you, £40,000,000, he thought it was premature to discuss it until the commission charged by the diplomatic body to study the resources of China had made its report on the subject. He inquired how this limit had been reached by my Government. I replied that the data on which all estimates of the revenue of China were based were well known to everybody; they were practically the pamphlets on the subject by Mr. Jamieson, to which might be added the memoranda recently submitted by Sir Robert Hart; that no accurate data beyond these were accessible to anyone, unless I was very much mistaken on the subject. These data clearly indicated that the borrowing capacity of China barely reached £40,000,000 sterling with her present available revenues. This statement of mine was, however, controverted by the French minister, who said that he thought China could pay much more and still retain sufficient revenue for the administration of the country. He deferred expressing his opinion on our proposition until the long-promised report of the commission above referred to is submitted.

The Japanese minister, while thinking that any discussion of our proposal and the fixing of any limit to the sum to be demanded was premature, believed that the powers might have to consider a reduction of the indemnity; that while common principles had been accepted by most of the powers for assessing private claims, no such principles, so far as he knew, had been applied to assessing war expenses. He thought it might be necessary that something be done in this direction.

The British minister, though not ready to state the limit of the indemnity to be fixed, said that in the belief of his Government this sum should not exceed a reasonable amount, payment of which would not create financial embarrassment to China.

The German minister stated that he had no instructions from his Government on our proposition, but he thought that if the commission charged with studying the revenue ascertained that China could pay the full amount of the expenses of the powers she should be made to do so, and that he saw no reason why the latter should show excessive generosity in the matter.

The Belgian minister thought that if a reduction in the indemnity should be decided upon, it should only bear on the governmental claims; that the private claims should not suffer thereby.

On the whole, I gained the opinion that the representatives realized that the total amount of the claims may ultimately have to be subjected to a certain scaling down, although most of them hold that the limit fixed by you is entirely too low.

Owing to the disinclination to discuss the subject before the submission of the report of the commission on finance, and in view of several of my colleagues being still without any instructions from their governments on the subject, I did not press the matter to-day, but informed them that I reserved it for discussion later on.

The Italian minister then informed the diplomatic corps that the war claim of his Government, up to the 1st of May, is 70,000,000 francs; for each month after this date it will be 2,500,000 francs. If the claim is not paid by the 1st of July, it will ask 200,000 francs per month as interest. If the occupation lasts until the autumn, a special item of 4,000,000 francs will be asked. His Government also claims 2,000,000 francs for the destruction of its legation here and the property therein. The private claims to be presented by him amount to 5,635,844 taels. This sum is subject to reduction.

The Russian minister informed his colleagues that the state expenses of Russia, known up to the present time, including the destruction of its railroad, amount to 170,000,000 rubles; that the military expenses per month, after the 15th of March, were 2,000,000 rubles. As to private claims he was unable to fix their amount, but it would be between 6,000,000 and 8,000,000 rubles, in all probability.

In a previous meeting I asked the diplomatic corps to agree to restore to the Chinese the Tsungli Yamen, when it was agreed that the archives should be turned over to them, but the building, being in the occupation of the German military forces, could not at present be restored to them.

The Chinese plenipotentiaries having asked me to renew their request that the buildings as well as the archives be restored to them, I did so to-day, and meeting with the support of my colleagues, the German minister agreed to ask his military authorities to comply with this request, which I think will be done within a few days.

After discussion on a number of other subjects of minor importance, among others a reply to Count Waldersee's letter of April 6, the diplomatic corps adjourned without indicating the date of its next meeting.

I am, etc.,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 76.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, April 26, 1901.

SIR: The British minister called on me this morning and informed me that he was in receipt of instructions from his Government giving its views on the subject of the indemnity. He said that it thought the indemnity should be scaled down to £50,000,000, and that a date should be fixed after which no claims could be made, this to limit the amount of the claims for military occupation, which will be about a million and a half sterling a month. His Government would propose that China negotiate a loan in the open market for a sum sufficient to pay the powers £25,000,000, for which purpose it could give the native customs revenues and the still unalienated foreign customs revenues. As to the time and mode of payment of the remaining £25,000,000, the powers would have to make an agreement with China. Five years might prove to be all the time necessary, for the increased tariff which it is proposed to grant her, and other sources of revenue may be sufficient to enable her to discharge this debt.

The minister was of opinion that the French might be induced to a scaling down, and, from what I wrote you in my No. 74, of the 23d instant, I think it probable some of the powers will view favorably some reduction of their claims. Sir Ernest feared, however, that this

plan would be extremely difficult to get Germany to consent to, and he thought that Italy and Austria might also hold out against it. Belgium, I may add, undoubtedly would; but if Russia and France would accept this proposition, I think it might be carried through.

The minister asked me if I thought the United States would favor such a compromise. I told him I could hold out no hope of it; that in case our proposal was finally declined by the powers, I was instructed to press for a reference of the whole subject to The Hague tribunal.

The British minister feared that such reference, if agreed to, would greatly delay any settlement. It would be impossible to get the evacuation of this province carried out in the meanwhile, and our endeavors to keep down the indemnity might therefore possibly result in saddling on China a large increase of the amount now claimed. He thought his Government wanted to fix the date after which no claim for military occupation could be made at September next at the latest.

I have the honor, etc.,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 79.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, May 1, 1901.

SIR: The diplomatic corps held a meeting to-day for the purpose of hearing the report of the committee appointed to study the question of the payment of the indemnities to be asked of China. I inclose herewith copy of said report.

After the reading of the report, which, as you will notice, contains no recommendations as to the method to be suggested to China for paying the indemnities, the Russian minister submitted a short memorandum, with the object of proving the necessity of a joint guaranty by the powers of the loan which it is supposed China will be obliged to negotiate.

Assuming that the amount of the indemnities which will be asked of China is £65,000,000, and the correctness of the statement contained on page 23 of the report of the commission, that it would cost China 23 per cent in commissions, etc., to float a loan, and that she would furthermore have to pay 7 per cent interest on it, Mr. de Giers shows that she would have to borrow £84,500,000 to secure £65,000,000. At the rate of 7 per cent, China would have to pay on this £5,915,000, or 34,447,500 Haikwan taels. Should a joint guaranty be given, China would not have to pay over 7 per cent in commissions; consequently a loan of £70,000,000 would net her £65,100,000. With this guarauty the annual interest, Mr. de Giers said, would not probably be more than 4 to 4½ per cent, which, at 4 per cent, would be £2,800,000 per year interest, or 18,200,000 taels. The saving, therefore, on a loan of this magnitude which a guaranty would insure would be 16,247,500 taels a year on interest alone.

Mr. de Giers then made the same calculation on the American proposition, payment of a lump sum of £40,000,000 sterling. This, he said, would entail a reduction on the present figures of the indemnities asked by the various powers of 38.46 per cent. Without guaranty, a loan of £40,000,000 would cost China £51,935,000; at 7 per cent interest this would make £3,630,450, or 23,597,925 taels. In other words, more than the loan of £70,000,000 with guaranty.

A loan for the same amount of £40,000,000, at 7 per cent commission, with a joint guaranty would only cost China £43,000,000; and with 4 per cent annual interest, £1,720,000 a year, or 11,180,000 taels.

The saving to China on the loan of £40,000,000 which a guaranty would insure would be 12,417,925 taels annually.

Turning to the question of resources, Mr. de Giers stated that he suggested, as a means of raising the 18,200,000 taels necessary to insure the payment of a guaranteed loan of £70,000,000 at 4 per cent, that the following resources be availed of:

	Taels.
Balance of foreign Maritime Customs	3,523,920
Native customs	3,000,000
5 per cent effective ad valorem duties	2,500,000
5 per cent additional ad valorem duties	10,000,000
Total	19,023,920

Mr. de Giers's figures are, like all those given in the report of the commission, subject to considerable correction. Their importance, however, is not great in the present case, and I only give them as showing the disposition of the Russian Government to favor a joint guaranty, and not to attempt anything in the way of reforming the interior administration of China. Russia and some of the other powers can favor with perfect equanimity the raising of tariff on imports and exports, as they have small commercial interests in China.

The British minister informed me that he is in favor of using to secure the loan, the foreign customs, the native customs to be put under the control of the Maritime Customs, the raising of the tariff to an effective 5 per cent, and the salt tax, which the Chinese Government has expressed itself willing to have applied to this purpose. This latter, it is thought, would bring in a sum of 11,000,000 taels a year.

The important feature of the report of the commission and of the suggestions made by the Russian minister and those offered by others of my colleagues is that without the raising of the tariff to 10 per cent, and a joint guaranty given by the powers of the loan China will have to make, it is absolutely impossible for China to pay £65,000,000. The figure of the indemnity you suggested indicates the limit of her ability to pay.

To all inquiries of me whether the United States would join in a guaranty I have in the most categorical and emphatic way said "No." I furthermore refused to consider, or even submit to you, the raising of the tariff to 10 per cent unless equivalent compensation be given our trade immediately, or at least the negotiations pushed on concurrently with those for the settlement of the indemnity. To raising the tariff to a 5 per cent effective I think there can be no objection. It is simply equity to China, but even this should be compensated for in some way. This is more easy for China to do, since a compliance on the part of China with several of the demands our commercial world has been urging on it for years past will not entail any loss of revenue to it.

I have got my colleagues to agree that the first step be taken now is to inform the Chinese plenipotentiaries that the losses and disbursements of the various powers approximate £67,000,000 sterling, and to ask them what measures they propose taking for the payment of it.

I have the honor, etc.,

W. W. ROCKHILL.

[Translation.]

Report of the Commission for payment of indemnities.

The commission appointed by the diplomatic corps to study the question of the payment of indemnities to be demanded from China, in virtue of Article VI, of the Joint Note, has considered—

1. The mode of payment to be adopted in order to satisfy, as far as possible, the interests of the creditors and those of the debtors.

2. The Chinese revenues which offer the greatest security and which can be diverted from their present application without embarrassing the internal life of the country.

In the examination of the mode of payment the commission has taken into account the desire of the indemnified powers to be paid in full at the earliest possible moment and the consideration to be observed toward China, considered as a solvent creditor who has always been scrupulous in her engagements up to the present, but is temporarily embarrassed.

Among the Chinese revenues it has principally considered those which combine the following conditions: Well-organized collection, assured yield, easy and efficacious control. It, however, advises, even though they fulfill these conditions, to exclude those taxes whose income is especially applied to expenses which apparently could not be modified without prejudice to the internal administration of the Government.

Above all, it was necessary to know the approximate amount of the claims of the powers. The information which was obtained from the different legations, and which in some cases is as yet only known provisionally or semiofficially, seems to bring this figure to about £65,000,000—1,629,000,000 francs, 1,300,000,000 marks, $399,000,000 gold, 415,000,000 Haikwan taels (in calculating a Haikwan tael at 3.90 francs).

This total will, moreover, probably be exceeded, since it is only calculated approximately up to July 1 and since it must increase with the protracted military occupation.

The commission next consulted the persons who appeared most capable, from their situation, experience, and special authority, to furnish the commission information on the resources of the Empire and the best mode of payment. It successively interviewed Sir Robert Hart, general inspector of customs; Mr. Hillier, director of the Hongkong and Shanghai Bank; Mr. Pokotilow, Russo-Chinese: Mr. Rump, director of the Deutsche asiastische Bank; the Mandarins Hsu Shou-peng, late Chinese minister to Korea; Na Tong, vice-president of the treasury department, and Chou Fu, grand treasurer of Chih-li.

The commission examined a work by Mr. Augustin, director of the Indo-China Bank. The German, English, and Japanese ministers submitted reports.

From all these opinions and information some general observations are brought out which are important to be noted to serve as guide for the detailed explanationswhich are to follow.

There is little doubt but what China will find it difficult to clear in one payment, through its native resources, the sum which the powers, according to the first information we possess, are disposed to claim from her. There are not sufficient available funds in the country.

The commission was unanimous in considering the balance of the maritime customs and the likins actually under foreign control, the increase of the customs tariff to 5 per cent effective ad valorem, the yield of the native customs, and the taxation of certain merchandise, at present imported free, as revenues offering good security from the triple point of view of income, collection, and control, and which could be applied to the service of the indemnities without exercising any injurious effect on the internal organization of the Empire.

Objection was raised to certain other resources, such as increasing the customs duties to 10 per cent, the salt duty, the rice tribute, the Manchurian income, and the revenue resulting from economies in various expenses.

A third category, the land tax and the likin, was withdrawn as not satisfying the sought-for conditions.

Finally a fourth one was pointed out as offering the Chinese Government the means to cover the deficit in its budget, caused by applying the receipts to the payment of the indemnities—dwelling tax, stamp tax, increased duties on native opium.

These general observations made, we will resume what has been said relative to the mode of payment and resources.

1. Mode of payment: If China is relieved from the direct payment in a lump sum, four systems can be chosen from—

(*a*) Chinese loan, not guaranteed by the powers;

(*b*) Loan to meet the lump sum for the payment of indemnities, pledged by installments and guaranteed by all the powers jointly;
(*c*) Chinese bonds;
(*d*) Annuities.

(*a*) *Chinese loan, not guaranteed by the powers.*—This system would doubtless be very costly, the credit of the Empire being such that it would be difficult to borrow a lump sum of £65,000,000 at reasonable rates.

(*b*) *Loan to meet the lump sum of the indemnities, guaranteed by all the powers.*—Such a loan could undoubtedly be easily floated without too great expense and at a low rate of interest. Its realization would allow the immediate payment of the indemnities and the speedy restoration of China to its normal state.

This system would be advantageous for the indemnified parties (companies and individuals), China, and the commerce of the extreme East. As to the States, they would be jointly responsible for the new debt contracted by the Empire. Financially they would not be gainers, for they would have to borrow to pay themselves; rather they would lose, each one having to assume, besides the commission previously deducted by the bank, the joint responsibility of the total loan.

It has been urged, it is true, that this solidarity is not indispensable to the guaranty of a loan, the credit of certain States being sufficient security; that, on the contrary, it would excite fear among the financiers in case political complications should arise among the joint guarantors. Finally, the powers would not perhaps care to guarantee a loan in a lump sum without reserving control of the revenues to be applied to the payment of the installments, and this might create a very delicate and complicated situation in carrying it into effect.

(*c*) *Chinese bonds.*—Each power would receive from China bonds for the amount of its total indemnity. These bonds, falling due at stated intervals, would bear interest, and each power could use them as security for a national loan which each would have to raise. The lump sum of £65,000,000 would then be distributed among the powers under various forms of loans and under conditions in harmony with the credit of each instead of floating one international loan. Each State would be at liberty to only raise the amount of the indemnity due its countrymen, provided it were willing to accept its payment in installments and to choose at its convenience the date of issue.

(*d*) *Annuities.*—This system would have the disadvantage of extending the settlement of the expenses already paid by the powers over a number of years and of leaving the door open to political contingencies.

Such is the résumé of the opinions and information furnished the commission on this point. The commission does not feel it can recommend one system rather than another. It believes that in the actual state of affairs the question can not be decided except by the powers themselves, between whom there exist differences, and who, independently of the agreement to be made, would undoubtedly have to consult the financial establishments whose cooperation would be indispensable.

II. RESOURCES.

(*a*) *Maritime customs.*—The surest Chinese revenue is constituted by the Maritime Customs under the control of a foreign administration. The events of 1900 have proved their strength, since, excepting 1899, the receipts for last year equal those of 1898. Consequently they can be considered as a minimum which will be exceeded as soon as trade resumes its regular development, reaching 23,000,000 or even 24,000,000 Haikwan taels.

(*b*) *Likins, actually under foreign control.*—These resources are composed of (1) the general likins of the ports of Soochou and Kiukiang, of the Shanghai-Sunkiang, and the eastern district of Chekiang; (2) the likin on salt from the port of Ichang, from Hupeh and Anhui.

This revenue seemed safe enough to be accepted as security for the Anglo-German loan of 1898. The customs administration, which investigated it thoroughly, values it at 5,000,000 taels at the lowest.

Wisely administered, these two revenues form a total of from 28 to 29 million taels, from which amount an average of 24,000,000 taels is to be deducted until 1905 for the service of the present foreign debt. From the available balance, according to Mr. Komura, there would be paid besides the administration expenses of the Maritime Customs, including—

	Taels.
The pay of the foreign and Chinese personnel	2,198,000
Maintenance of light-houses	280,000
Peking College	120,000
Chinese legations abroad	1,319,000
Total	3,917,000

Balance (Haikwan taels), 83,000, or 1,083,000, according to whether the customs duties are valued at 23,000,000 or 24,000,000 taels.

The commission observes, however, (1) that of the four above-mentioned expenses, two—those of the Peking College and the legations—could be charged by the Chinese Government to other revenues, which would raise the disposable balance to 1,522,000 or to 2,522,000 Haikwan taels.

(2) That as the annuities of the actual debt will reach their maximum in 1905, decreasing from then on, the disposable balance will increase 200,000 taels per year from this date until 1918, at which time it will reach more than 5,000,000 taels.

(c) *Increase of the import duties to 5 per cent effective ad valorem.*—This measure is recommended on different sides on account of its easy application and of the certainity of its yield. It is accepted by the Chinese delegates without any reservation, except as to the advantages to be given foreign commerce in compensation of the increased taxes imposed.

The duties collected for the year 1899 equal 3.18 per cent (3.43 per cent for the year 1900) of the value of all the merchandise imported. The increase of 5 per cent will lead approximately to an increase in receips of 3,900,311 (figure for 1899), not including opium, which will not be taxed with a new duty, and rice, which will continue to enter free.

It is to be remarked that the year 1899 was exceptional, and if one takes for basis of calculation the average of three normal years (1896 to 1898, for example) the increase will not be found to exceed 2,320,276 taels, or 2,500,000 taels at the maximum.

Commerce seems to make no objection to this measure, but demands in compensation: (1) Specific and not ad valorem duties; (2) a more equitable tariff evaluation; (3) reform of the Chinese administration of the likin, assuring a more honest administration in the transit of merchandise, and putting an end to the obstacles created by the dishonesty of the Chinese Government.

In view of the increased customs duties to 5 per cent ad valorem, Sir Robert Hart indicated a way which presents the advantage of requiring neither revision nor negotiation of tariffs, at the same time restoring the duties to their primitive value. At the time of the establishment of the tariff 3 Haikwan taels were worth £1; to-day it takes about 7 to make £1.

It would only be necessary to give the Haikwan tael a fixed conventional value equal to its value in the beginning to tax merchandise with 5 per cent effective ad valorem.

According to the customs inspector, the corresponding increased receipts would be from 10 to 15 million taels.

It has, however, been remarked that this proceeding would create inequalities in practice, and it would be difficult to make the Governments accept it, and Sir Robert Hart's estimates appear optimistic. According to the average of the years 1896–1898, the increase would only be 9,153,833 taels.

(*d*) *Native customs.*—In the ports open to foreign commerce the maritime customs exercises its authority only over vessels of foreign construction whether they be owned by Chinese or foreigners.

The duties on merchandise transported by junks are collected by a special native administration, and according to a special tariff which is effective in the open ports side by side with the maritime customs, and, moreover, everywhere else on the coast or in the islands at the stations which the Chinese Government has established from time immemorial.

The opinions obtained are unanimously in favor of the control of this revenue and of its application to the service of indemnities. Sir Robert Hart estimates that the high personnel of the maritime customs could easily, in the open ports, undertake the service which is exercised by the native customs administration of "Chang Shui."

Sir Ernest Satow valued this revenue at 1,000,000 taels for the present and at 4,000,000 for the future. Messrs. Komura and Hillier, at 5,000,000—at 3,000,000 now and at 5,000,000 to 10,000,000 for the future. Mr. Pokotilow estimates the duties collected in the open ports alone at 5,000,000. At the rate of 2½ per cent, Mr. Rump calculates that at Tientsin alone the duty on the junks would amount to 300,000 taels.

In regard to these native customs, Mr. Hillier claims that their yield has always been considered by the Chinese Government casual rather than a certain income, for scarcely 20 per cent is turned into the treasury, which consequently would not feel the loss to any great extent.

(*e*) *Taxation of merchandise at present imported free.*—Some articles, such as flour, butter, cheese, foreign clothing, soap, candles, spirits, etc., which at the establishment of the tariffs were only imported in small quantities and for the exclusive use of foreigners, are exempt from duties. The sale, having increased

since the Chinese have generally adopted their consumption, represents to-day a considerable value. It has been proposed, consequently, to submit this merchandise to the general tariff, with the exception, however, of rice and cereals. The commission sees no objection in so doing.

The following table recapitulates the minima and maxima valuations of this first category:

	Minima.	Maxima.
	Taels.	*Taels.*
(*a b*) Balance of the customs duties and likin under foreign control	83,000	1,083,000
(*c*) Increase of the Maritime Customs duties to 5 per cent effective	2,320,276	3,900,311
(*d*) Native customs, imports	3,000,000	10,000,000
Total valuations	5,403,376	14,683,311

It must be recalled that the disposable funds will increase from 1905 about 200,000 taels per year, and that in 1918 they will reach more than 5,000,000 taels.

We will now examine the second category of resources.

(*f*) *Increase of customs duties to 10 per cent.*—This measure has in its favor, as has already been stated, its easy application and the certainty of its yield. According to Mr. de Mumm, foreign commerce with China would see no great inconvenience in this, experience having shown that the increase in the entrance duties is divided about equally between the producer, the dealer, and the consumer, and that, maintained within reasonable bounds, it does not encroach upon the consuming power of a country. Japan, where the duties have lately been raised from 10 to 20 per cent over their preceding figure, is the most recent proof of this fact. Mr. de Mumm calculates that this increase in duties would produce an increase of 17,475,000 taels.

Mr. Rump estimates that the tax of 10 per cent could be adopted under the condition of a tariff revision. Certain products, such as needles, aniline dyes, etc., could easily bear increased duties. Others, such as cotton goods, could not. A choice would have to be made. Mr. Komura proposes a 10 per cent increase of the import duties for all merchandise, including foreign opium and articles introduced in franchise under the actual régime.

The increase in the receipts would be, according to him, about 18,037,374 taels. Taking for base the imports of 1899, however, he expresses the opinion that this change in the tariffs would call for compensations. He then proposes as a correlative condition of the increase in duties an absolute exemption of likin duties, terminal or other taxes collected in the interior in favor of the imports and exports. Considering the enormous importance of the total commerce of the Empire, he believes that the imports and exports enter for only a small part in the income from the likin and that its loss would not greatly affect the provincial budgets.

The transit duty should, at the same time, be abolished. Mr. Komura advises the institution of a commission charged with revising the tariffs on the new bases adopted and indicating the measures to be taken to put an end to the extortion affecting the import and export articles in the interior of China.

The new tariff could be applied without it being necessary to wait until the commission has concluded its labors. The taxes would be collected temporarily according to the ad valorem tariff.

Mr. Pokotilow does not believe there are any fundamental objections on the part of commerce to the elevation of the entrance duties from 5 to 10 per cent, providing that a serious revision of the tariffs is made, rendering them as equitable as possible, If the revision is well made, the movement of exchanges will not diminish. The revision could be made in a relatively short time, in a few weeks at the most.

Sir Ernest Satow shows that his Government could not accept the increase in the rate of the entrance duties to 10 per cent. He declares that English trade is already protesting against this measure, unless it be compensated by modifications in the commercial régime of China. He upholds the 10 per cent duty as well as the 5 per cent, exclusive of opium and rice.

The Chinese delegates, on the contrary, would view the increase to 10 per cent with great satisfaction. Resuming, the yield from it would be valued at 10,648,736 taels at the minimum, exclusive of opium and rice, and at 18,037,374 taels at the maximum, including these products.

(*g*) *Salt duty.*—The salt duty is a state monopoly, reposing on a vast and com-

plicated organization having in its favor the strength of a long tradition and assuring the existence of a considerable number of officials, manufacturers, and licensed tradesmen.

According to the report of Mr. Jamieson, the Government previously deducted two sorts of duties on salt—one on consumption, collected in the center of production and the place of sale, the other on circulation or likin imposed en route or on arrival at the last station. No distinction has been made between the two duties in the propositions which have been made on this subject.

Sir Robert Hart declares that the proposed legislation on salt can raise no objection, for there is nothing safer. According to the finance department's figures, the salt duty in 1899 yielded a little less than 14,000,000 taels, but according to certain information this figure would reach 15,000,000, and even 20,000,000 under a good administration.

Sir Robert Hart suggests, as a means of control, the extension of the actual control of the likins intrusted to the Maritime Customs administration. It is to be remarked in this connection that the administration only controls the likin on salt and not the consumption duty.

Sir Ernest Satow, who is also in favor of applying the revenue from the salt tax to the payment of the indemnities, values this resource at 12,000,000 or 13,500,000 taels, which, according to the most conservative opinions, could be increased 50 per cent, or 6,000,000 taels, and even 100 per cent, or 12,000,000 taels, under an honest administration. Mr. Hillier, who agrees with Sir Ernest Satow, says that the salt revenue under the present administration is valued at 13,800,000 taels, but that under foreign control this figure would be considerably increased.

From his estimates he deducts 1,800,000 taels already applied to the foreign debt, which brings it to 12,000,000 taels.

Mr. Pokotilow advises the assuming of the salt duty only as a last resort, and then only in case that the increase in the customs duties to 5 per cent, the native customs, and certain economies to be imposed upon the Chinese Government in various expenses do not furnish sufficient resources. According to Mr. Pokotilow, this control would necessitate the creation and administration of a very complicated and delicate organization and a foreign personnel, which is completely lacking. He considers this control as an interference in the internal administration, and as such discourages it.

Mr. Rump believes that the duty on salt could be placed under foreign control. At Tongku alone, where it reaches 6,000,000 piculs per year, an income of 1,600,000 taels would thus be obtained. He does not conceal the fact that the control in the interior provinces might be difficult. He does not consider it would be possible to import salt free of duty, using the amount of the duties collected for the service of the debt. As long as the monopoly exists and corporations hold the traffic in their hands they will be strong enough to oppose the sale of foreign salt. The Chinese delegates declared that the disposable yield from the salt duties was 10,000,000 taels, from which 6,000,000 must be deducted for governmental expenses, leaving a balance of about only 4,000,000. According to them, a reform in this tax would be difficult to establish.

From these various opinions the yield from the salt tax can be valued at between 4,000,000 and 20,000,000 taels.

(*h*) *Peking octroi.*—Sir Robert Hart mentioned this revenue accessorily, estimating it at 500,000 taels. Mr. Pokotilow confirmed this valuation, adding that the duties collected were quite heavy.

He advised, in a general way, to avoid everything that might lead to interference in the internal administration of the country. Mr. Rump declared that they could not count upon such duties, and that they would have to be left to the Chinese.

According to the Chinese delegates, this tax would only yield 170,000 taels, which would be absorbed by the Peking administration.

(*i*) *Rice tribute.*—The rice tribute is furnished by the two provinces of Kiang-su and Chekiang. The quantity of rice sent to Peking varies from 12,000,000 to 14,000,000 tan or piculs, or 104,500 tons. About 200,000 piculs are sent by the old route of the Grand Canal, the remainder by the vessels of the China merchants.

The administration of this transportation is in reality one of the principal Chinese departments, and employs a regular army of officials and clerks. The method of collection is as follows: The land taxes, which are in principal collected in kind, are, in fact, paid in money, or rather in copper cash. The tariff conversion is fixed from time to time, according to the commercial value of rice, and increased by a supplementary tax, destined to cover the transportation costs and various expenses.

It appears to be sometimes double and sometimes treble the price of rice. With

the money thus obtained the tax collectors buy rice on the markets and send it to the depots awaiting its shipment to the north.

When the transportation administration has received the rice, it is responsible for it until it reaches the Tung-chou storehouses, where it is to be left.

Sir Ernest Satow, who suggested this revenue, furnished the following observations on this subject. The quantity of rice shipped in this manner would, according to Mr. Jamieson, reach 1,200,000 piculs. The duties and transportation permit cost a very large sum in the provinces—1,500,000 taels.

From another source the rice tribute would amount to 800,000 piculs, worth 4 taels the picul.

Forty per cent of this rice is transported by the Grand Canal, and the expenses are so exorbitant that the picul delivered in Peking costs about 15 taels; 60 per cent is loaded on the boats of the China merchants at the rate of 1½ tael per picul. If the entire amount were transported by sea the saving resulting from this would amount to 9⅓ taels on 40 per cent of the 800,000 piculs, or 3,040,000 taels. Finally, a third estimate fixes the quantity of rice transported by steamers at 300,000 piculs, and places the picul at 6 taels delivered at Peking; 400,000 piculs would be transported by the Grand Canal, and would cost 15 taels. The saving resulting from the transportation by sea of the total tribute would amount to 3,600,000 taels. The sums used in the purchase of rice reach, according to Mr. Jamieson, from 3,360,000 to 3,920,000 taels.

The rice is eventually distributed to the bannermen, who resell it to the poorest classes in Peking for 1½ taels.

On the money used for the purchase of rice and the cost of transportation there might be realized, according to Mr. Jamieson, 6,562,000 taels; according to another, 7,440,000, and according to a third person, 7,800,000 taels.

Sir Robert Hart, without furnishing further information, values the yield from the suppression of the rice tax at 2,000,000 or 3,000,000 taels.

Mr. Pokotilow favors a reform in the transportation of the rice tribute and of the application of the savings thus realized to the service of the indemnities, but he does not consider the eventuality of the suppression of these distributions of rice to the bannermen, which are governed by the constitution of the Empire. He estimates the savings resulting from the use of the maritime route in preference to the Grand Canal at 1,000,000 taels.

Mr. Rump also believes that the Chinese Government would gain by transporting all the rice from the tribute by sea, because, besides the saving in freight, it would thus put an end to the frauds committed by the boatmen, who take advantage of the special passes of the rice tribute to smuggle merchandise and thus escape the customs.

This measure would only meet opposition on the part of the boatmen. But Mr. Rump does not think that the resources thus realized could be used to guarantee a loan.

Mr. Hillier proposes also to apply to the payment of the indemnities the land tax of Kiang-su and Chekiang. This tax is estimated by the Chinese at from 10,000,000 to 12,000,000 taels in the present state, but Mr. Hillier only estimates it at 8,000,000, remarking, however, that it would certainly give much more under foreign control.

The information furnished on this revenue by the Chinese delegates was somewhat vague. According to them the rice tribute to-day represents 1,240,000 bags. It was formerly 1,400,000 bags. The price of this rice in the south would be 4,000,000 taels; the transportation would cost 6 taels per bag by the maritime route; 130,000 bags would pass by the Grand Canal, but they were not able to say what the expenses would amount to. The delegates agreed that the freight of the maritime transportation could be diminished if it were awarded by competition, and the savings resulting from this could be applied to the service of the indemnities. They also recognized the possibility of collecting the rice tribute in money and distributing to the Tartars the value of the rice which is given them, thus leaving the cost of transportation to be used for other purposes.

(*j*) *Manchu pensions.*—Sir Ernest Satow suggests the following scheme:

Capitalize the pensions granted to the Manchu soldiers and issue bonds bearing 5% per cent interest. The official figures for Peking alone are 5,760,000 taels, without taking into consideration the Manchu garrisons of the provinces, which appear to be of no military use.

If the bonds issued to the holders of these pensions represent one-half the value of the capitalized sum this plan would result in a saving of 2,830,000 taels.

Sir Robert Hart estimates the sum which could be raised from the suppression of the Manchu pensions at 3,000,000 taels.

Mr. Pokotilow advises against interference with the revenues applied to this expense as too closely affecting the internal organization.

Mr. Rump believes that these pensions could only be suppressed upon condition of sending the Tartars back to Manchuria and supplying them with the means of existence, the best plan being to give them lands.

The Chinese delegates do not conceal the fact that the Government would be obliged to reduce these pensions, but that it would have to use the sums thus economized for other pressing needs. Mr. de Mumm is of the opinion that the savings to be realized from the rice tribute and the Manchu pensions are resources which could only be utilized to replace, in favor of the Chinese Government, the revenues appropriated elsewhere to the payment of indemnities. He does not think it can be used as security for a loan, in view of the fact that it would be too difficult to collect it.

Finally, Mr. Pokotilow pointed out as resources the amount of the savings which China could realize from the military expenses and from the cost of the transportation to Peking of the money coming from this tax.

The following table recapitulates the resources of the second category:

Increase of customs duties.

	Minima.	Maxima.
	Taels.	*Taels.*
To 10 per cent:		
Salt tax	10,648,736	18,037,374
Pekin octroi	4,000,000	11,500,000
Rice tribute	170,000	500,000
Manchu pensions	1,000,000	8,000,000
Various economies elsewhere mentioned	2,830,000	2,830,000
General total	18,648,736	40,867,374

The third category of resources is the one which was withdrawn as not satisfying the conditions to be realized.

(*l*) *Land tax.*—Although this tax is the principal basis of the State revenue, it is sometimes abandoned by the Government when the crops are destroyed or threatened by public calamities. As this tax lacks stability Sir Robert Hart does not advise its appropriation. Mr. Pokotilow thinks that this tax is the last one to be resorted to, as it will be very difficult to administer. The Chinese delegates called attention to the law prohibiting the increase of the land tax.

(*m*) *Likin.*—The likin is a temporary tax, the suppression of which would be viewed with favor by the Chinese people and foreign commerce; consequently Sir Robert Hart thinks it preferable not to encourage its maintenance.

Finally a fourth category was pointed out as offering the Chinese Government the means for covering the deficiencies in its budget caused by the withdrawal of the receipts to be applied to the indemnities.

(*n*) *Tax on dwellings.*—The establishment of this tax, according to Sir Robert Hart, would give 20,000,000 taels per year by only imposing an average contribution of 0.05 taels on each inhabitant.

The Chinese delegates, appearing to confound this tax with the poll tax, declared the collection would arouse great difficulties among the people. A hundred years ago the Government attempted to impose a poll tax, but was obliged to give up the idea.

(*o*) *Stamp tax.*—The establishment of this tax would always furnish a considerable revenue—5,000,000 taels per year—according to Sir Robert Hart. Mr. Pokotilow sees in this a source of great corruption, and does not think that it could be levied outside of the open ports.

The Chinese delegates do not believe it possible to establish this duty except in the open ports.

(*p*) *Native opium.*—Sir Robert Hart estimates the quantity of native opium produced and placed in circulation at 150,000 piculs per year—at least three times the quantity of foreign opium. In fixing the duties at 60 taels per picul and in modifying the regulations 10,000,000 taels per year would be obtained.

According to Mr. Pokotilow it would be easier to administer the tax on opium than on salt. This duty is not high in theory, but it is enormously increased by the extortions of the mandarins.

The Chinese officials are not of this opinion. They estimate, on the contrary, that it is very difficult to reach native opium, which, being produced everywhere, escapes all surveillance.

Regarding these three taxes, Sir Robert Hart observes that they would be badly received, owing to their innovation under foreign pressure, and could even arouse hostile feeling among the population.

Mr. Pokotilow considers these receipts as very uncertain, and he thinks that at the most they could only be suggested to China as a means to furnish new resources in exchange for those that will be taken from her.

One of the financiers consulted pointed out that the foreign capitalists, from whom the money which China needs would have to be borrowed, would prefer one single revenue of known yield, and would probably not accept as security a number of small revenues offering a certain guaranty, but coming from various sources. According to his idea, it would be better to appropriate one revenue already known and endeavor to increase its income.

If foreign finance views it in this light, the first category and resources, *f*, increase of customs to 10 per cent, and salt tax, would fulfill these conditions, and for this latter even it would be necessary to clearly state that it is a question only of the likin on salt actually under foreign control. All these resources could be managed by the maritime-customs administration. If the enormous deviation which separates the minimum and maximum valuations is noted, one is lead to ask if it would not be possible to find in these resources alone the sums necessary for the service either of one single loan or of individual loans.

According to an opinion given to the commission, the brokerage, commission, issue, and other expenses for a Chinese loan would amount to about 23 per cent of the nominal loan, but in the case of a loan guaranteed by all the powers, or of individual loans contracted by each, these expenses would be considerably decreased. To count these expenses at 5 per cent would be to estimate them at a very high sum, and very probably above the real value.

The amount of the indemnities being provisionally fixed at £65,000,000, the Chinese loan at 5 per cent would amount to £85,000,000, while the loan guaranteed at 4½ per cent by all the powers would at the maximum amount to £70,000,000. It is even permitted to hope that it can be contracted at 4 per cent. The money lenders would perhaps consent to defer the liquidation of their capital until the foreign control over the new revenues had increased their yield, and until the extinction of the old debt would have increased the disposable funds mentioned in paragraphs A and B. If this could be done, then China would only have to provide for the present for the payment of the interest at 4½ or 4 per cent on £70,000,000, or £3,150,000, or £2,800,000, or 20,200,000 taels, or 18,180,000, at 3.90 francs.

In paying the expenses of the Peking College and the Chinese legations abroad from the general revenues of the Chinese Government we can dispose of at least 1,522,000 taels on the customs and likins under foreign control; the increase of the tariff to 5 per cent would yield a mininum of 2,500,000 taels; the native customs 3,000,000 taels; total, 7,022,000 taels. There then remain to be found 11,158,000 or 13,178,000 taels, according to whether the loan is contracted at 4 or 4½ per cent. But these estimates are based on the minimum calculations, and should these figures be exceeded in practice, as seems probable, the disposable amount, estimated by the commission at 7,022,000 taels, would easily reach 9,000,000. To find the 18,000,000 or 20,000,000 necessary the following methods remain:

Increase the customs tariff duties to 10 per cent if all the powers consent, which would give a minimum excess of 8,000,000 taels, and extend the measure taken for the 1898 loan; that is to say, place some new likin districts under the control of the maritime customs. Profiting by the experiments already made, 18,000,000 or 20,000,000 taels could thus easily be obtained.

Another system would consist of adding the salt duty to the 9,000,000 taels, which the commission believes it can count upon at the present moment.

The liquidation at one-half per cent per year, necessitating 2,300,000 taels, would begin as soon as the disposable funds would permit of so doing, which doubtless would not be long delayed.

Before concluding, the commission feels it should mention Mr. Rockhill's proposition to make China pay a lump sum of £40,000,000, which the interested powers would divide equitably among themselves in the ratio of their expenses and losses. If the commission has not expressed itself regarding this proposition it is because it was not discussed, as the diplomatic corps to which it was proposed, decided not to examine it until after learning the results of the investigation recorded in this report.

Mr. Rockhill to Mr. Hay.

No. 80.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, May 6, 1901.

SIR: For your information in connection with my Nos. 69 and 74, of April 16 and 26, respectively, concerning the handing over to the

Chinese plenipotentiaries of the archives of the Tsungli Yamen, I have the honor to inclose herewith copy of certain correspondence, from which it will be seen that the yamen and archives were duly transferred to Prince Ching and Li Hung-chang on the 1st instant.

I am, etc.,

W. W. ROCKHILL.

[Inclosure 1, with dispatch No. 80.]

Mr. Rockhill to Prince Ching and Li Hung-chang.

COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, April 16, 1901.

YOUR HIGHNESS AND YOUR EXCELLENCY: I have much pleasure in informing your highness and your excellency that the foreign representatives, on my submitting to them your request that the archives of the Tsungli Yamen be handed over to you, have agreed to comply with this request.

The seals of the various legations having been put on the rooms and bureaus containing the archives, it is desired that the seals be removed by the Chinese officials in the presence of an officer deputed by each legation, after which the archives can be removed elsewhere.

I will be pleased to be informed at least three days beforehand of the time it will suit you to take possession of the archives, so that the necessary orders can be issued by the German military authorities, who have charge of the Tsungli Yamen buildings.

I avail myself of this occasion to convey to your highness and your excellency the assurance of my distinguished consideration.

W. W. ROCKHILL,
United States Commissioner to China.

[Inclosure 2, with dispatch No. 80.—Translation.]

Prince Ching and Li Hung-chang to Mr. Rockhill.

PEKING, *April 18, 1901.*

We have had the honor to receive your excellency's communication of the 16th instant, wherein you say that the foreign representatives, on your submitting to them our request that the archives of the Tsungli Yamen be handed over to us, have complied with this request, etc.

In reply, we have to express to your excellency our sincere thanks for the kindness you have shown in bringing this matter to the attention of the foreign representatives. But the archives of the Tsungli Yamen are very numerous, and the important documents should be selected, examined, and looked over, and even then it can not be avoided omitting some of them. To remove all the archives from the yamen and store them would be very inconvenient.

We have the honor, therefore, to request your excellency to do your best and bring this matter before your colleagues in a friendly way, asking their consent to the Tsungli Yamen buildings and the archives being handed over to us at an early date. This will enable us to forthwith examine and look over the archives and thus avoid the public business being interferred with. If the foreign representatives give their consent, after receiving your excellency's reply we will address their excellencies, begging them to fix a time for handing over to us the yamen and the archives. This we earnestly pray for.

[Inclosure 3, with dispatch No. 80.—Translation.]

Prince Ching and Li Hung-chang to Mr. Rockhill.

PEKING, *May 4, 1901.*

YOUR EXCELLENCY: In the matter of handing over to us the archives of the Tsungli Yamen and the buildings, some time ago we requested your excellency to submit the question to the foreign representatives, which is a matter of record.

On the 27th of April we had the honor to receive from the German minister, Dr. von Mumm, a note in which he stated that he had fixed the 1st of May as the

time for handing over to us the yamen and archives. We therefore deputed officers to act with those appointed by the foreign representatives. The archives were duly checked and handed over to us, together with the buildings, excepting the printing office and machinery of the Tung-wen Kuan, which the German Government retains temporarily for its use.

We feel very grateful for the kindness your excellency has shown in this matter, and address this note to you to express our thanks.

(Cards of Prince Ching and Li Hung-chang, with compliments.)

Mr. Rockhill to Mr. Hay.

No. 82.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, May 7, 1901.

SIR: The diplomatic corps held a meeting to-day for discussion of the report submitted to it in its last meeting on the mode of payment of the indemnities to be asked of China.

Before beginning the discussion of this question the Belgian minister stated that as a result of instructions recently received from his Government the total of the claim which Belgium had to present would be 32,358,750 francs, subject to some slight reduction.

The French minister then stated that the official figures for his claims, calculated to the 1st of July, would be 286,500,000 francs, which might possibly be subject to a reduction of 6,000,000 francs. His Government would ask, for military expenses after the 1st of July, between six and seven millions of francs per month.

The British minister announced that, following the example of the other governments, Great Britain would add its naval expenses, and that instead of the £4,800,000 previously given as its expenditures for military purposes in connection with the expedition to north China, it would now ask £6,500,000. All these figures bring up the grand total of the claims, calculated up to the 1st of July, to about £62,500,000 sterling, or 450,000,000 taels.

The Russian and the French ministers then stated that it was of the utmost importance to ascertain at once whether the governments would agree to a joint guaranty of the loan, which seemed to be the only way for China to pay off her indebtedness. They said they had formal instructions to urge such a guaranty. The Japanese minister said that his Government believed that a loan should be made by China, and he gave it as his personal opinion that Japan would join in guaranteeing it.

The Austrian minister expressed himself as favorable to a guaranty, while the Belgian, German, British, Italian, and Dutch ministers said they were without instructions. I confined myself to saying that the Government of the United States saw the greatest difficulties in the way of agreeing to such a proposition, and in private conversation with my colleagues I have repeatedly stated that it seemed to me highly improbable that we could possibly entertain it.

The British and German ministers and myself having expressed the opinion that it seemed incumbent upon us, in view of the terms of the Joint Note, that China should be given an opportunity to state what amount of indemnity she could pay, and how she proposed doing it, the ministers, after some discussion, agreed to submit to the Chinese plenipotentiaries a statement, and of which the following is a translation:

The total amount of the disbursements of the powers, as well for military expenses as for the losses of societies and foreign individuals and of Chinese who have suf-

fered in their person and property through their being in the employ of foreigners, down to the 1st of July, amounts approximately to 450,000,000 taels, a figure which will be considerably increased if the occupation is to be prolonged beyond that date.

In conformity with article 6 of the Joint Note accepted by His Majesty the Emperor of China, and according to which China will take financial measures acceptable to the powers, so as to guarantee the payment of the said indemnities, the foreign representatives ask the Chinese plenipotentiaries for a formal assurance that they recognize their liability for this sum, and they beg them to indicate the financial measures which China expects to take to discharge herself of this debt.

I agreed to the terms of the above note on the express and formal understanding that it should in no wise be construed as making a claim of China for the amount indicated in it or as requiring of China any promise to pay, but that it was simply sent the plenipotentiaries so as to enable them to give formal expression as to the limit of China's ability to pay and the means she proposed taking.

The Russian and British ministers accepted my reservations, in which they entirely concurred, as did tacitly the rest of the diplomatic body.

I inclose a copy of a memorandum by the Russian minister advocating the joint guarantee of the loan, abstract of which I sent you in my dispatch, No. 79, of May 1, 1901.

An examination of the report of the committee on the payment of indemnities, and the other documents I have sent you, as well as the remarks of my colleagues in the meeting of to-day show that the only possible chance of China being able to pay the enormous amount which the various claims now reach would be by means of a joint guarantee by the powers. Without said guarantee it seems even improbable that China would be able to pay the forty millions of pounds which you have suggested as the limit beyond which the powers' demand should not go.

It appears premature as yet to attempt to indicate what will be the solution of the question or the amount finally presented as a demand on China, but I am daily being strengthened in my belief that very considerable reductions will have to be made, even if an increase in the tariff of customs duties on foreign imports to a 5 per cent effective is agreed upon.

I inclose herewith a translation of a communication sent me by the Viceroy at Wu-chang, Chang Chih-tung, giving his views on the easiest way for China to meet the indemnity demands of the powers; also a telegram from the Viceroy at Nanking, and my reply thereto, bearing on the same subject.

I am, etc., W. W. ROCKHILL.

[Inclosure 1 in dispatch No. 82.—Translation.]

Mr. de Giers to Mr. Pichon.

PEKING, *May 1, 1901.*

Monsieur le Ministre et cher Collègue:

In compliance with the wish expressed by my honorable colleagues, I have to submit in writing to the financial committee under your excellency's presidency the statistical data and the conclusions they suggest to me, which I mentioned in this morning's meeting of the representatives of the powers.

After consulting the market price of the various loans of powers whose financial condition is brilliant and also of others in a less-favored condition I find, for example, that the French rentes at 3 per cent, as well as the Russian 4½ per cent

and the Russo-Chinese loan at 4 per cent, are all actually above par, particularly the first mentioned, which is at 101.37, the second at 100.5, and the third at 101.90.

This leads me to believe that with the common guaranty of the powers China could readily make a loan of £70,000.000 at 4 or 4½ per cent. With the guaranty of the powers the issuing banks would be satisfied with 7 per cent commission, which would leave at the disposal of China a sum of £65,100,000, sufficient for the payment of the indemnities. If the loan is made at 4 per cent the annual payments would be £2,800,000, or 18,200,000 Haikwan taels, counting the pound sterling at taels 6.50. In case of a loan at 4½ per cent the annual payments would amount to £3,150,000, or 20,475,000 taels, respectively.

If, furthermore, the necessary loan is made by China itself without guaranty of the powers, I agree entirely with the financial committee in believing that not less than 23 per cent of commission would be exacted for issuing this loan. Consequently, to have an available sum of £65,000,000 a loan of £84,500,000 would have to be negotiated. I take the liberty of doubting whether such a loan could be secured at 5 per cent, as the financial committee thinks it could, and I believe that the creditors would not be satisfied in this case with an interest less than 7 per cent, which for the total amount of £84,500,000 would require an annual payment of £5,915,000, or 38,447,500 Haikwan taels.

Comparing this latter figure with that of 18,200,000 taels requisite as annual payment on a guaranteed loan at 4 per cent, I reach the conclusion that China would incur a clear annual gain of 20,247,500 (*sic*) Haikwan taels in case this guaranty of the powers was refused and if she were abandoned to her own resources for the loan which she needs.

Passing to an examination of the proposal of the Government of the United States of America that the powers should be satisfied with a lump-sum payment of £40,000,000, it is necessary to state in the first place that the sum total of the claims of the powers being estimated at £65,000,000, this would entail on them a loss of 38.46 per cent of the indemnities to which they are entitled. If to secure these £40,000,000 China should have to do without the guaranty of the powers, she would be obliged under the above-mentioned conditions of 23 per cent commission and 7 per cent interest to make a loan of £51,935,000, with annual payments of £3,630,450, or 23,597,925 Haikwan taels.

On the other hand, with the guaranty of the powers, which would reduce the commission to 7 per cent, China could secure £40,000,000 by making a loan of £43,000,000, which at 4½ per cent would necessitate an annual payment of £1,935,000, or 12,677,500 Haikwan taels, and at 4 per cent of £1,720,000, or 11,180,000 Haikwan taels. In the latter case the difference for China between the loan guaranteed by the powers and one without such guaranty would be 12,417,925 Haikwan taels a year.

Independently of these considerations, I have been struck by the fact that foreign banks, according to information which has reached me, held that the annual service of the Chinese loans amounted to 21,000,000 taels, whereas the financial committee estimated it at 24,000,000 taels, a figure which has also been confirmed to me by Sir Robert Hart.

Seeking to explain the reason of such a contradiction, on examining carefully the printed list in a newspaper of the loans made by China and of the annual service of its debt, the figures for which agreed with those which had been given me by the inspector-general of customs, I remarked that they had been calculated on the basis of 1 Haikwan tael equaling 2 shillings 9 pence.

According to this list the service of the debt should be:

	Taels.		Taels.
1901	24,564,900	1915	20,205,500
1902	24,408,200	1916	19,191,700
1903	24,408,700	1932	13,106,800
1904	23,935,300	1933	6,074,400
1914	22,843,800		

Now, the real value of the Haikwan tael in English money has been as follows during the last twelve years:

	s.	d.		s.	d.
1890	5	2¼	1896	3	4
1891	4	11	1897	2	11⅛
1892	4	4⅛	1898	2	10⅝
1893	3	11¼	1899	3	0⅛
1894	3	2⅝	1900	3	1¼
1895	3	3¼			

That is to say, that it has always been superior to the value of 2s. 9d. used as a basis in the above calculation.

Taking as a basis the average value of the tael during the years 1896, 1897, and 1898, the data which have been used in the calculations of the financial committee, and counting it consequently as equal to 3s. .079d., we obtain the following results: If the annual service of the debt is calculated at 24,500,000 Haikwan taels, with the tael equal to 2s. 9d., it would only be 21,976,000 Haikwan taels, if the value of the tael is taken at the above-mentioned figure of 3s. .079d. Adding to this last figure the yearly salaries of the personnel of the customs, calculated at 14 per cent of the gross revenue, or according to information supplied by Sir Robert Hart, 3,000,000 taels, we get the figure of 24,976,080 Haikwan taels as the sum total of the indispensable yearly expenditures to be furnished from the revenues of the maritime customs. These revenues, as well as those from the likin, levied by the customs administration, amounting, according to the calculations of the financial committee, to 28,500,000 Haikwan taels, on an average, there should therefore be a yearly balance from them of 3,519,920 taels; balance ought to increase yearly as the sum assigned to the service of the loans constantly decreases.

Among the resources indicated by the financial committee, taking even the lowest figures calculated, the tax on native junks should furnish 3,000,000 taels; the raising of the customs tariff to an effective 5 per cent ad valorem, 2,500,000 taels; and their raising to 10 per cent. according to rough calulation, 10,000,000 taels besides the 2,500,000 above mentioned.

Adding the above-mentioned sources of revenue, which can be concentrated in hands of the maritime customs administration, we reach a yearly total of 19,023,920 taels, which a loan made at 4 per cent with the guaranty of the powers would only require, as has been pointed out previously, annual interest to the amount of 18,200,000 taels, which would still leave to China a balance of 823,920 taels.

Should the revenue of the customs not increase quite a much as expected after the raising of the tariff, this surplus could be used to make up the difference, and to the same purpose could be assigned the revenues for the customs taxes which it is proposed to impose on articles imported until now free of all duty as being destined for the use of foreigners.

Finally, the authorization of the new loan could, even in case of necessity, only begin after some years, when the decrease in the sum applicable to the service of the old loans shall have left to the customs revenues a larger balance.

Please accept, etc.

GIERS.

[Translation.]

Chang Chih-tung, Viceroy of the Liang Hu Provinces, to Mr. Wilcox, United States consul, Hankow.

WU-CHANG, *April 30, 1901.*

SIR: I beg to inform you that in the matter of the question of indemnity the United States Government has been very moderate and equitable (in its demands).

I have now received another telegram from Mr. Wu, Chinese minister at Washington, stating that the honorable Secretary of State had repeatedly telegraphed his excellency Commissioner Rockhill to get the best results in all matter (discussed). For this I am exeeedingly grateful.

I now learn that the foreign governments demand an indemnity of 450,000,000 taels. China could only place bonds on the market at 70, and this would require a loan of 600,000,000 taels to meet the above amount. A ready money payment (issued on bonds to mature) in thirty years, paying annually—principal and interest—30,000,000 taels, would mean a total of 900,000,000 taels. On hearing this I was amazed and worried. The Chinese people are poor, and the debt of China enormous. The United States Government is fully aware of China's condition in this respect.

Sometime ago I heard that the United States Government took the iniatiative with a view to reducing the amount of indemnity, but, although the other powers would not assent to the proposition made, still China is profoundly grateful for the great favors and kindly intention shown by the United States. The amount of 450,000,000 tales as indemnity is very excessive, and to negotiate a loan on that basis would mean that the bank doing the business, as well as the foreign governments, would receive the same amount, which is certainly not in accordance with the principle of equity.

By Article VI of the Joint Note "China shall adopt financial measures acceptable to the powers, for the purpose of guaranteeing, etc." This evidently refers to an

indemnity to be paid during a period of years. But if ready money is paid, what is the use of guaranteeing payment, and what necessity is there that China's financial measures should be acceptable to the powers?

I would suggest that the United States Government first get the amount of indemnity reduced to the very lowest limit, and then persuade the powers to agree to the amount, and payment in full to be made in ten years. Further, that the payment of a ready-money indemnity be not demanded.

As to the plan for providing the amount of indemnity, I may say that my private views are that it will take a long time for China to meet its liability, if the money is to be obtained in fragmentary amounts, as it would be impossible by this process to get together a large amount at any one time; small amounts would not suffice.

The Chinese husbandman is very poor, and it would not do to increase the land and grain taxes he has to pay. There remains, then, the customs revenue, the likin revenue, and the salt revenue that could be applied to the payment of the indemnity. The duties should be increased double, irrespective of goods, whether foreign or native, opium whether foreign or native, or whether the duties are collected by the foreign or native customs. But an increase of duties on foreign goods would exempt them from the payment of likin. This would be a very simple, short, and equitable way of dealing with the matter and an easy and clear way of procedure.

If the amount of indemnity could be reduced to within 400,000,000 taels, to be paid in ten years, then the amount received from the above three sources would be ample. This plan is really a guarantee and should be acceptable to the powers.

I have telegraphed the honorable Secretary of State, the British, German, and Japanese Governments, asking that this proposition be considered, and now express the hope that you will telegraph his excellency Mr. Commissioner Rockhill, asking him to consider the question of a reduced indemnity, to be paid in a period of years, and not demand a ready-money payment. For this I shall feel grateful.

The above plan is merely my private views on the subject. I should be glad to have you ascertain by telegraph without delay Mr. Rockhill's views on the subject, in order that I may present the question to my Government and to the minister superintendent of southern trade for due consideration.

Card of Chang Chih-tung, with compliments.

[Telegram.]

SHIAKWAN, *May 7, 1901.*

ROCKHILL, *Peking:*

Viceroy begs me to ask you urge all the powers to reduce indemnity and accept installment plan.

MARTIN.

[Telegram.]

PEKING, CHINA, *May 7, 1901.*

AMERICAN CONSUL, *Nanking.*

Tell viceroy, confidentially, foreign ministers are writing to Chinese plenipotentiaries saying disbursements of powers calculated to July 1 and all claims amount to 450,000,000 taels. They ask China to state what financial measure they propose taking to meet demand when made. This affords China opportunity stating her ability to pay and financial measure proposed.

Viceroy should urge his views through Chinese plenipotentiaries. United States will do all it can to prevent lasting financial embarrassment to China. We prefer administrative reform and increased privileges to foreign trade to large cash indemnity.

ROCKHILL.

(Same to United States consul at Hankow, May 9, 1901.)

Mr. Rockhill to Mr. Hay.

No. 85.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, May 13, 1901.

SIR: On the 9th instant the diplomatic corps held a meeting in which the inclosed letter from the Chinese plenipotentiaries concerning modification of Court ceremonial as regards reception of foreign ministers was read and an answer agreed upon.

In my dispatch No. 69, of April 16, 1901, I inclosed translation of a letter from Field Marshal Count von Waldersee concerning the military measures necessary to carrying out Articles VIII and IX of the Joint Note and of the reply made to it by the diplomatic corps. This reply was met by another letter from the field marshal, dated April 29. The diplomatic corps considered to-day the advisability of making a reply to it, and decided to defer doing so, after a prolonged discussion of the question. The military authorities, as is shown by the letter of the marshal, which I inclose, are desirous of separating the question of the presentation of the indemnity claim from that of the guarantees for its payment to be given by China, and think that the evacuation should only commence after the first demand has been made. The diplomatic corps is of opinion, however, that the two questions should not be separated. In the rather desultory discussion which was had on this letter of the field marshal it developed that the majority of the ministers were of opinion that reduction of the forces should be made at once and that the Chinese authorities should be more and more associated in the local administration. The French minister is particularly active in urging this view, in which I availed myself of every opportunity to express my hearty concurrence.

On the 11th instant the diplomatic corps held another meeting for the consideration of questions connected with the Provisional Government at Tientsin and the so-called diplomatic quarter of this city. In connection with the latter subject, the French minister asked that a categorical answer should be given by all present, whether they accepted or not the creation of a glaçis around the diplomatic quarter, which had been strongly advocated by the military commission in its report, copy of which was sent you in Mr. Conger's No. 536, of February 16 last. The British minister and I said that we were in the impossibility of agreeing to it; that the whole subject had been referred to our Governments. Pending the receipt of instructions, each legation could do, within the ground which it occupied, whatever it pleased. The French and German ministers are particularly interested in the question, as on part of the ground which they wish to convert into a glaçis American citizens (Mr. Lowry and Dr. Coltman) hold property which they now want to improve. I was asked if I could not prevent them taking any steps in this direction until the question of the glaçis had been finally settled. This I declined to do, stating that I could in no way restrict the rights of American property owners in China.

In my dispatch No. 36, of March 7, I referred to a resolution of the diplomatic corps of November 6 of last year, sent to you by Mr. Conger on the 4th of March, in his dispatch No. 558. This resolution having again come up before the diplomatic corps in connection with property owned by American citizens in this quarter, I informed my colleagues that pending receipt of categorical instructions from you I refused to consider myself in any way bound by its terms; that Mr. Conger had agreed to it subject to the approval of his Government;

this approval not having as yet been given, I did not propose to inquire into the property titles of any American citizen here, whether any had acquired property since the 20th of June of last year or not. This question is an important one, and may give rise to frequent misunderstandings. I beg that I may be instructed on the subject, as I requested in my dispatch of March 7.

A letter from the Chinese plenipotentiaries, making objection to carrying out the provisions of the Joint Note concerning the suspension of examinations in the cities and towns where foreigners had been murdered or cruelly treated, was also read to the diplomatic corps, and an answer was agreed upon. I inclose translation of both these papers.

The conservancy of the Whangpu River is one of the questions which interest most deeply the mercantile community of Shanghai, and the present moment appearing opportune for having this much-needed work undertaken and a Conservancy Board created, the diplomatic corps, in its meeting of the 9th, appointed a commission, composed of the French, German, and British ministers and myself, to report on the question and recommend a plan for carrying it out. I have good hope that this most important undertaking for foreign trade will be promptly put in the way of final settlement.

I have, etc.,

W. W. ROCKHILL.

Prince Ching and Li Hung-chang to M. de Cologan.

[Translation.]

PEKING, *April 29, 1901.*

YOUR EXCELLENCY: On the 18th of April we had the honor to receive a communication from your excellency in which you submitted the conclusions arrived at by the foreign representatives in regard to the ceremonial to be observed at audiences of His Majesty the Emperor.

Though the ceremonial is in accordance with the form prevailing in the European countries and the United States, still there are certain points which we find it difficult to comply with. They are four in number, which we submit for the consideration of the foreign representatives:

1. As to general audiences being held in the T'ai-ho Tien, we would point out that this throne hall is used by the Emperor, who ascends the throne on the occasion of great celebrations and when His Majesty receives New Year's congratulations. When the Emperor ascends the throne, the insignia carried before the Emperor, the Emperor's traveling equipage or escort, the whip which is cracked, and the band of music must be arranged in due order. The princes, dukes, and civil and military officers are assigned places in the courtyard where are the stones marking their rank. The rules are very strict, and not the least disorder will be allowed. The Emperor must appear in full court dress, and the forms of etiquette are multifarious. It is therefore inconvenient to hold audiences granted to foreign representatives there. If a change is made and audiences held in another hall, this would seem to be more suitable.

2. In the matter of the foreign representative presenting his letters of credence, or a letter from the head of his State, on which occasion an Imperial sedan chair should be sent for him, we would state that it is not convenient to send the chair the Emperor rides in. The Imperial Household naturally should prepare a sedan chair, such as used by the high officials of the first rank, to be sent for the minister. This would be in accordance with the rules of state. There is practically no difference in the above system to that prevailing in European countries.

3. As to the question that the foreign representatives should be taken to the steps of the audience hall and should be taken back therefrom, we would observe that heretofore princes, dukes, and ministers of state, on going to the Forbidden city, alight from their chairs outside of the Tung Hua gate and the Hsi Hua gate, as the case may be. An exception, however, has been made by special decree in the case of Prince Kung, the uncle of the Emperor, and Prince Chün, the father of the Emperor, who are permitted to take their chairs to the Ching Yun gate on the east side and to the Lung Tsung gate on the west side. In European countries the

foreign representatives take the carriages, but they are not allowed to go to the front of the steps of the audience hall. It appears that there is no distinction made in this rule. The question should receive further consideration and changes be made.

4. As to the question that if banquets are given, as has been done in previous years, these should take place in the Chien-ching Kung and the Emperor should assist in person, we may observe that the ceremonial at banquets given by sovereigns of foreign countries to diplomatic representatives is not the same. That banquets should be given in the Chien-ching Kung and the Emperor assist in person is still a trivial matter, and changes can be made by way of accommodation or compromise. But as to banquets being given, this is a matter optional (with the Emperor), and one that can await further discussion.

The above we present as being our views for your excellency's further consideration.

In a word, no matter what form of courtesy China shows to the foreign representatives, on no account will it be other than on a footing of equality between the two countries concerned without loss of prestige.

In sending this communication to your excellency as dean of the diplomatic corps, we beg that you will confer with your colleagues and favor us with a reply.

M. de Cologan to the Chinese plenipotentiaries.

[Translation.]

PEKING, *May, 1901.*

HIGHNESS AND EXCELLENCY: On the 29th of April I had the honor to receive your communication in reply to the one which I had sent you on the 18th, and to inform you of the views of my colleagues on the subject of the Court ceremonials on the reception of foreign representatives by His Majesty the Emperor.

My colleagues request me to inform you in reply to your letter that the hall of the Imperial Palace called Chien-ching Kung, which they pointed out as the best for the audiences to separate foreign representatives with His Majesty, being also suitable for audiences given to the whole diplomatic corps, they modify the demand transmitted in my letter of the 18th of April in that sense. The Chien-ching Kung shall be the hall in which shall take place all solemn audiences given by His Majesty the Emperor to the representatives of the powers, whether individually or collectively.

As to the Imperial sedan chair which should be sent to the dwelling of the representative of a foreign power, etc., for the presentation of his letters of credence, etc., my colleagues understand by that that it shall be a sedan chair of the Imperial color, similar to those used by His Majesty.

The explanations which you have given concerning the place where the foreign ministers should get out of and get back into their sedan chairs when they shall be admitted into imperial audiences have not seemed satisfactory to my colleagues, who insist in this connection, and subject to the modification accepted by them in the choice of the hall, on the right which they have asked for. In consequence they will leave and take again their chairs at the foot of the steps leading up to the hall.

Regarding the banquets which His Majesty the Emperor might give to the representatives of the powers, my colleagues request me to inform you that the only bearing of their demand is to prevent that hereafter the Emperor shall invite them in another building than one of those of the Imperial palace, and shall be represented at the banquets offered by him and in his name by some one else. But it never entered into their minds to make it obligatory for His Majesty to send to the diplomatic agents invitations to dinner.

I avail myself of this opportunity, etc.,

B. J. DE COLOGAN.

Field Marshal Count von Waldersee to M. de Cologan.

[Translation.]

PEKING, *April 29, 1901.*

YOUR EXCELLENCY: I hasten to forward to your excellency, after a conference with the commanders of the contingents of the allied troops, the following reply to your letter of the 25th instant:

1. The following powers will bear their share in the 6,000 men to be left behind in Tientsin and the district belonging to it: Great Britain, France, Germany, and Japan, each 1,400 men; Italy, 400 men.

For the 1,500 men to be left behind in Shanhaikwan-Chin-wangtao, Great Britain, France, Japan, Russia, and Germany will each furnish 300 men. Italy wishes to leave a company there until the forts are razed.

2. As long as Chinese territory remains occupied by troops of the allied contingents the military commanders must have full authority over the civil administration. This has also been laid down in principle in the proceedings of the Hague conference in the year 1899. It is possible, and it would even be of advantage for both parties, that the Chinese authorities should retain their functions, as is now the case entirely in Paotingfu and partly in Tientsin.

In Tientsin and the administrative district appertaining to it, which reaches as far as Taku and comprises both banks of the Peiho, 6,000 men of the international troops have to be quartered in the future, and to these must be added 600 French troops destined for the protection of the railroad and numerous small detachments of all contingents for the protection of the various military establishments in Tongku and below it. We must therefore also reckon the ships of war which will be always stationed in the Peiho to keep up communication with the international fleet lying in the roadstead of Taku. To permit that under any circumstances these should be dependent upon a Chinese mandarin is an impossibility.

Friction would at once arise which might lead to dire conflicts, and such a measure should be avoided.

The placing of the civil administration under military supervision would also have the great advantage that it would be very unpleasant for the Chinese Government, and that this latter would therefore do its best to get rid of the situation by a speedy fulfillment of the terms of peace.

When the time comes for the reduction of the troops occupying Tientsin to 2,000 (?) men, it would be possible to accommodate them in the concessions, and it might be taken into consideration that then Chinese civil administration might be allowed in full measure.

3. The creation of a commander in chief is desirable for purely military reasons. Whatever be the measures taken in case of trouble, there must be a single center from which the orders emanate, and these should also apply to the 2,000 men of the garrison in Peking.

4. According to my information, it is not quite correct to say that only banner troops were quartered in Peking, for I understand that there was also a strong garrison of troops with modern armament.

5. To provide for the commencement of the evacuation of Peking it would be advisable to allow the Chinese authorities for four weeks previously a greater share of responsibility than hitherto, but they must always be under military control.

6. As regards the question as to whether at present a partial evacuation of Pechili might be carried out, opinions were divided. The British, Japanese, and German commanders were of the opinion, which I share, that such an evacuation can not take place before China has accepted the sum total of the indemnity to be paid, while the French commander informed me that he had proposed to his Government to withdraw 8,000 to 9,000 men, beginning fourteen days hence and finishing in six weeks' time, and that preparations for this had been made. He added that he would only leave colonial troops here, in view of the difficult climatic conditions to be encountered. The Italian and Austrian commanders were without instructions on this point. General Chaffee offered no observations. Russia was not represented, as General de Wogack could not be present.

All the commanders have requested me to inform your excellency, and to request that you will inform the diplomatic corps of the following opinions, which they adopted unanimously:

In view of the approaching hot weather, which will be very disadvantageous for the health of the troops, and in view of the difficult nature of the roadstead of Taku, the question of the evacuation of Pechili is an extremely difficult one, which calls for the most earnest consideration and in which delay will, in addition to an enormous increase in the cost of the war, cause probably the loss of many hundreds of soldiers, and the retention of the troops perhaps till next winter.

We are unanimously of the opinion that the question would find a quicker solution if the fixing of the amount of the indemnity were treated separately from the manner in which China is to raise the money.

The second part of the question may, in view of the difficulties of the matter, require several months for its solution. If the question of the indemnity is first taken in hand and China declares its readiness to pay the sum demanded, the time would have come for beginning the evacuation, the completion of which would even then take several months, so that the reduction of the army of occupation would be very gradual. We are convinced 2,000 in Peking, 6,000 men in the Tient-

sin district, 1,500 men in Shanhaikwan, and about 3,000 men along the railway—in all, 12,500 men—with an international fleet at the Taku roadstead, and an international garrison in Shanghai, with a fleet at the Woosung roadstead, will be absolutely sufficient to force China to accept our conditions as to how the indemnity is to be paid.

COUNT WALDERSEE, *Field Marshal.*

The Chinese plenipotentiaries to M. de Cologan.

[Translation.]

PEKING, *May 4, 1901.*

YOUR EXCELLENCY: On the 2d of May we received from the Grand Council, at Si An, a telegram stating that the governor of Hunan had wired that by the terms of the Joint Note there shall be a "suspension of all official examinations for five years in all the towns where foreigners have been massacred." It appears that in the matter of the missionary cases in Wei-yang and Ch'ing-chuan, in the Hunan province, these were the result of trouble brought about by rebels, and not the literati, and naturally the order of suspension should not apply there. The trouble only occurred in the towns of Huang-sha-wan and Chiang-tzu-k'ou, in the jurisdiction of the above-named districts. Even if the examinations were to be suspended, it should only be done at the two towns mentioned, where the trouble occurred. The suspension of examinations merely refers to places where the Boxers created trouble last year. This rule should not apply to missionary cases that occurred in other places. If the examinations must be suspended, it would seem necessary to clearly state that the suspension shall apply to the two towns where the trouble occurred, and not involve the whole province. This is important for the sake of justice and fairness.

Having received the above we would beg to observe that in the matter of the suspension of examinations, correspondence on the subject have passed between the foreign representatives and ourselves, but nothing has been definitely settled.

We embrace the opportunity, however, of again expounding our views in a clear and minute way.

The suspension of examinations for the period of five years refers to the people living in the places where disturbances occurred—the result of the Boxer movement—who can not compete during that time; it has no reference to places where disturbances occurred, not the result of the Boxer movement. Take, for instance, Peking, where last year a revolution took place, resulting in loss of life to foreigners of all nationalities. The native scholars resident in the capital are punished by the examinations not being opened to them, which is perfectly right and proper, but Peking is the capital of China, and the Chü jen of the various provinces come here to enter the metropolitan examinations. Then, as to the examinations for the second degree in the Shun-tien prefecture, we may add that these are open to senior licentiates and students of the imperial academy of the southern, northern, and central provinces. This examination is not confined alone to students of the metropolitan prefecture. If the metropolitan examinations for the third degree and the metropolitan prefecture examinations for the second degree are to be suspended, then in that case the students of all the provinces will not be able to compete for the above degrees, and as a result of disturbances in many cities and towns the scholars of the Empire would all thus be cut off from entering the official carrier. Besides, it is the illiterate vagabonds who cause trouble, and by such a mode of procedure the peaceable, law-abiding scholars would in like manner be implicated with them. Would this be strictly in accordance with justice? Besides, foreign missionaries are a class associated with the scholars of China, and if the examinations at Peking are suspended to scholars this would create a feeling of enmity which would not be befitting.

We therefore ask that the examinations be suspended only to persons resident in the places where it is right they should be prohibited, but not to those not living in said cities or towns where the disturbances occurred. The examinations of an entire prefecture or district should not be suspended; a discrimination should be made. The suspension of examinations for five years should apply to places where the Boxers created trouble last year; other places should not be affected by this ruling.

In sending this communication to your excellency, we beg that you will confer with your colleagues on this subject, and favor us with a reply, in order that a memorial may be sent to the Throne, asking the issuance of a decree in reference to the places contained in the list forwarded to us some time ago re suspension of examinations.

M. de Cologan to the Chinese plenipotentiaries.

[Translation.]

PEKING, *May 11, 1901.*

HIGHNESS, EXCELLENCY: You requested me in your note of the 4th of May to communicate to my colleagues a telegram from the Grand Council concerning the cities in which examinations should be suspended during five years, in compliance with Article II of the Joint Note.

You explain in this connection that in your mind the suspension of examinations would consist "in the interdiction for residents in localities in which troubles had taken place to present themselves for the examinations during a period of five years, and not in forbidding for five years that examinations should be held in the localities where troubles had occurred."

It is, on the contrary, this last interpretation which is the true one. To convince yourself of it it suffices to look at the text of paragraph B, Article II, of the Joint Note, accepted by His Majesty the Emperor of China. This paragraph reads as follows:

"Suspension of all official examinations for five years in all the cities where foreigners have been massacred or have been subjected to cruel treatment."

You observe, in support of your explanations, that at Peking the suspension of examinations would be prejudicial to people of all the provinces who had not taken part in the trouble of last year, and you add that "those guilty of the disorders were all illiterate men and rascals." You show yourself, in thus speaking, severe on the Princes and high officials whom you have already recognized as responsible for the crimes to which you refer. We doubt whether the criminals can be considered as illiterate people, but we do not contest that they behaved themselves like rascals.

On the contrary, it is, speaking in a general way, the literati who have always been—particularly so last year—the true authors or accomplices of the antiforeign movement, and the Chinese people are only responsible for having allowed themselves to be dragged into the movement.

The representatives of the powers, therefore, insist on the demands which they have made of you, and which are entirely in conformity with Article II of the note which you have accepted.

I avail myself, etc., B. J. DE COLOGAN.

Mr. Rockhill to Mr. Hay.

No. 86.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, May 16, 1901.

SIR: I have the honor to confirm as follows my telegram to you of the 12th inst:

Twelfth. Chinese reply to note referred to in my telegram of 7th has been received. It proposes annual payments 15,000,000 taels, of which 10 from the gabelle, 3 from the native customs, and 2 from the likin. Maritime customs to see that monthly payments are regularly made into authorized banks which would transmit proportion to each power. Payments to commence July, 1902. Refers to extreme financial embarrassments which must result. Begs powers to reduce amount and to agree to increase by one-third the present tariff.

A copy of the full text of the reply of the Chinese plenipotentiaries, as above referred to, and a translation thereof, are herewith inclosed.

I am, sir, your obedient servant,

W. W. ROCKHILL.

[Translation.—Original written in French.]

Reply of the Chinese plenipotentiaries to the note sent them on the 16th instant by the foreign Representatives, asking the means China proposed taking to pay the indemnities to be asked.

[Received by M. de Cologan May 11, 1901.]

(After acknowledging the receipt of the communication of the representatives of the powers, the Chinese plenipotentiaries continue as follows:)

The principle of indemnity having been decided upon and consented to by Clause VI of the convention can only be admitted without discussion. Nevertheless, we

can not refrain from remarking that the enormous figure of 450,000,000 taels indicated in the communication of the representatives of the powers exceeds all our previsions.

The annual revenue of China does not exceed 88,000,000 taels, a sum barely sufficient to defray public expenses. But in recent years, through unforeseen events, new obligations have been added to the ordinary expenses in the shape of loans, the sinking funds and the interest on which amount to more than 20,000,000 taels annually, and consequently at the present time the revenues of the State no longer suffice for its expenses. These latter being furthermore increased by the enormous figure of the indemnity, the representatives of the powers will understand without trouble the nature of the new difficulties and our embarrassment.

If we had to undertake to find in new sources of revenue the means of providing for these increasing obligations, the carrying out of the measures to be taken to attain that end would require considerable time and would entail delays the length of which it is impossible for us to foresee.

All that we can do for the present is to find among the already known sources of revenue, however insufficient they may be, portions which willingly or unwillingly can be diverted to guarantee the payment of the indemnity, reserving to determine, on the other hand, the means necessary to supply the domestic deficit which will result therefrom.

After careful deliberation, we propose for the time being to take from the revenues of the gabelle an annual sum of 10,000,000 taels, from those of the native customs 3,000,000 taels, and from those of the likins 2,000,000 taels, in all 15,000,000 taels, a sum which can always be completed if necessary by means of an additional levy from the 10,000,000 taels of the metropolitan chest. There would thus be an annual fixed sum of 15,000,000 taels reserved and specially devoted to the payment of the indemnity, and the Imperial Maritime Customs would be intrusted with taking the necessary measures for insuring its regularity. Beginning with the twenty-eighth year of Kuang-hsü (July, 1902), the customs would make monthly payments of 1,250,000 taels into the formally authorized banks, and out of these funds the banks would transmit to each one of the interested powers the proportional part allotted to it by the committee of the powers. In this way within a term of thirty years this whole debt of 450,000,000 taels would be paid off.

Nevertheless, although China thinks it possible for her to provide for these new obligations, the financial difficulties which would result are such that we hope the representatives of the powers will feel that there is ground for reducing the enormous figure indicated in their communication, and that with the object of preventing in some degree the deficit produced by taking these funds from the Chinese treasury they will consent that one-third above the present tariff be hereafter levied on all customs payments. Their excellencies would thereby show to China the sentiment of justice which animates them and their desire to maintain a cordial understanding.

Such are the broad lines of the mode of procedure which we deem as a commencement we should submit to the examination of the representatives of the powers in reply to their communication, and we beg them to do us the honor to give us their opinion, so that we may be in a position to enter without delay into details of the steps which still remain to be taken by both parties to reach a satisfactory settlement of this question of indemnity.

Mr. Rockhill to Mr. Hay.

No. 88.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, May 16, 1901.

SIR: Mr. Conger, in his dispatch No. 552 of February 28 last reported the execution of the notorious ex-governor of Shan-hsi, Yü Hsien. I now have the honor to inclose translation of a letter received a few days ago by the dean of the diplomatic corps from a missionary resident in Lan-chou, the capital of Kan-su, where Yü Hsien was executed, reporting the particulars of his death.

As of possible interest, I inclose also an extract from a native letter from Hsi-an Fu, published in a recent issue of the Shanghai Mercury, giving an account of the death of Chao Shu-chiao, Prince Chuang, and Ying-Nien.

I am, etc., W. W. ROCKHILL.

[Translation.]

LAN-CHOU, *March 6, 1901.*

His Excellency the Minister of Spain, Peking.

EXCELLENCY: On the 27th of February I received from your excellency a telegram requesting evidence as to the death of Yü Hsien.

The execution of this latter is so little in doubt that I immediately answered you by telegraph: "Decapitated 22d February, 5 o'clock in the morning." If the dispatch was not sent the same day it was because the operator who has charge of European telegrams was for the time being absent.

Here are the principal proofs of the death of Yü Hsien. In the first place the suicide of the governor, or rather of the Fan-tai (provincial treasurer) who was occupying the place of the governor appointed but not yet arrived. The said governor Li, formerly an official of Tai-yuan, had treated Yü Hsien, formerly his superior, with high regard, due to his title of ex-governor; not as a rebel and an exile. So as not to have the blood of a superior on his hands and to thereby bring upon himself the reproach of a crime nearly parricidal, he advised Yü Hsien to commit suicide. Yü Hsien refused. On this, on the day of the new year, the goveruor committed suicide.

The next day, and particularly the day after, the excitement grew greater and greater among the people. Notices were posted up even inciting the people to revolt. The Nieh-tai (provincial judge) had them torn down at once and had numerous arrests made. Toward 9 o'clock in the evening he called a meeting of the council officials and proposed that in view of the tendency of the people to revolt, the day of the execution should be advanced. (It had previously been fixed for the 6th.) Toward midnight the judge sent a detachment of soldiers to guard the street, and he himself went to the dwelling of Yü Hsien and notified him of his sentence. On hearing this Yü Hsien ordered two of his wives to commit suicide, and he nailed up their coffins, which had been got ready beforehand, after which he continued to write letters.

The Neih tai waited in the street. It was already dawn when the judge asked the condemned man for a second time to deliver himself into the hands of justice. As Yü Hsien had been a governor, he was not to die by the hand of the ordinary executioner. A military officer was intrusted with the execution.

Arriving on the threshold of the door, the Neih-tai commanded Yü Hsien to kneel, and he was executed. The first blow missed, so a servant of Yü Hsien's took a knife and, to spare his master useless suffering, cut his throat. This was between 4 and 5 o'clock in the morning.

Such is the narrative which an eyewitness employed by a mandarin made the same day to a Christian. Another one showed him the place of execution. An official also present told the same story to Madame Splingaerd.

Add to this that down to the present day nobody contradicts this narrative; this would be impossible if Yü Hsien were still living.

Please accept, Mr. Minister, the assurances of my most respectful consideration, etc.

LOUIS DE MAESSIHALCH (MAESSTER?),
Missionaire.

Extract from "Shanghai Mercury," May 8.

THE DEATH OF CHAO SHU-CHIAO.

This ex-president of the board of punishments was ordered to commit suicide. But on the 25th of the twelfth month last year the edict ordered imprisonment until execution, and the provincial judge was already charged with his custody and his relatives had gone to the judge's yamen to await the end. The day before the Empress said to the privy council: "As a matter of fact Chao Shu-chiao did not patronize the Boxer movement, only he should not have told me that the Boxer people were not important."

When Chao heard of these words he secretly rejoiced and hoped that the old Empress would reprieve him. On the 29th there were many outside rumors that the western men would condemn Chao Shu-Chiao to death; whereupon the gentry and people of Hsian all rose up against it, and 300 of them presented a petition to the privy council, saying that the whole city wished to save Chao Shu-Chiao from death. But the council did not dare to present their petition to the throne. Hsueh Yen-Sheng, president of the board of punishments, who is Chao's maternal uncle, remarked: "If Chao is beheaded, where are there left any heav-

enly principles of right?" But the reports became more pressing, and the council, from 6 o'clock to 11 o'clock, held a consultation with the Empress, but could not decide to put Chao to death. Meantime the streets were fast filling with people who threatened to release Chao on the way to the execution ground and kill some of the high officials at the same time. The council took fright and asked the Empress to grant Chao the privilege of self-destruction. Tsen Chun-hsuan came forward and recited the decree. Chao knelt and said: "Is there a later decree?" Tsen replied, "No." Chao said that there must be another decree. Chao's wife said to him, "Let us both die together:" whereupon they both swallowed gold leaf. But from 11 to 3 p. m. it had no effect, and a lively conversation with their friends was carried on regarding what should be done after their death. They deeply mourned the fact that they left a mother over 90 years old to mourn their end. During this time their friends and relatives crowded to see them until Tsen Chun-hsuan stopped them. We heard that Chao told his friends. "It is Kang-I who has done for me." Tsen, on seeing that Chao's voice was yet clear as a bell and no prospect of dying, ordered him to take opium, but still he did not die; whereupon arsenic was administered. Then for the first time he lay down groaning, begging his friends to rub his chest. He merely said he felt bad. By this time it was 11 o'clock at night, and Tsen became impatient and said: "Six p. m. was the hour fixed for the execution, and still he is not dead." The attendants then suggested to him to employ tough paper soaked in brandy to suffocate him. This was done until the body was cold and gave forth no sound. His wife wept and committed suicide. Chao's friends say that this is proof that his constitution was very robust. But others say that he took only a little opium, hoping for a reprieve.

DEATH OF PRINCE CHUANG.

He awaited his fate at Pu Chow in Shansi at the guest house there. His concubine and sons were with him. The order to execute him was given to Ko Pao-hua, who arrived at the gate early in the morning. Prince Chuang, hearing the firing of the usual guns at the reception of great officials, came out and cursed them, saying: "Why do you fire guns without any reason?" The bystanders said: "The Imperial commissioner Ko Pao-hua has come to see you." Chuang said: "What has he to do with my affairs?" They replied: "The Imperial commissioner is merely passing this way." When Ko entered, Chuang inquired minutely regarding the fortunes of the court, but Ko did not say much in reply. Behind the guest house there is an ancient temple. When Ko saw that there was a small empty room of one *chien*, he fixed on this as the scene of Chuang's death, and fixing the silken cord on a beam he locked the door and returned to Chuang. He then ordered the magistrate of Pu Chow and the local military to provide soldiers. He at once ordered Chuang to kneel and listen to the edict. Hearing this Chuang straightened up and said to Ko: "Do you want my head?" Ko did not reply, merely reading the edict. Chuang replied: "I must commit suicide. Is that it? I knew long ago that I must die, but probably the Old Buddha[1] herself can not live long. May I take leave of my family?" He was told to dispatch his farewells quickly. Chuang said to his son: "You must exert all your might for your country. Do not allow the foreigner to seize your ancestors' realm." The son was unable to reply for weeping, while his concubine fainted clean away. Chuang asked where he was to die, and on being led to the place he entered and saw the silk cord depending from the beam, remarking as he caught sight of it: "Your excellency has managed the affair admirably and with dispatch." In an hour he was dead.

DEATH OF YING NIEN.

Ying Nien was a man of no courage. When he heard of Chao Shu Chiao's imprisonment he used to spend whole nights in weeping, saying: "Prince Ching ought not to desert me like this!" On New Year's Day everybody was too busy to mind him much. But at midnight suddenly there was a silence. The next day at noon his family knew that he had fallen to the earth and breathed his last. They rushed to the spot and found that his mouth was stuffed full of mud. At this the edict had not yet arrived, and so they did not venture to make his death public. But when the edict came on the 3d they reported to Governor Tsen that Ying Nien was already dead.

[1] The Empress Dowager is popularly called by this name. (W. W. R.)

Mr. Rockhill to Mr. Hay.

No. 89.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, May 20, 1901.

SIR: The difficulty for the representatives of the powers to arrive at any kind of understanding, either as to the amount of the indemnities to be asked of China or the mode of payment, is becoming more apparent day by day. None of the methods suggested as to the mode of paying the indemnities meet with approval.

On the 14th of this month the British minister handed me confidentially a memorandum, copy and translation of which I inclose for your information.

So far as I can ascertain from my colleagues the British and Japanese Governments are the only ones which think we should insist, in case we have to give the Chinese increase of their import customs tariff, on obtaining from China compensating commercial concessions.

Russia, France, and Germany are willing to see the present tariff on imports raised to 10 per cent, if by so doing they can obtain more promptly the payment of their claims against China.

The Russian minister, and I fancy his French colleague will side with him, is most persistent in his desire to separate the financial from the commercial question here, while the Japanese minister and myself are equally convinced that the two must be treated together, and that if we make tariff concessions to China without securing settlement of the commercial questions we lose the most powerful leverage we have here and expose ourselves to years of desultory discussion with China before we may be able to settle one of the questions which so prejudiciously affect foreign trade.

The Russian and French Governments are emphatic in their declarations that the only mode acceptable to them for the payment of the indemnity by China is a loan with joint guaranty by the powers; this would result, possibly, in breaking up at an early date the present concert of the powers, which must endure, though perhaps somewhat limited, if the plan of paying the indemnity by the issue of bonds to run for thirty or forty-five years is adopted.

The British minister to-day read me the last instruction he had received from his Government on the subject of the payment of the indemnity. It practically reproduced the previous memorandum, with the exception of the proposition to reduce the amount of 450,000,000 taels to 400,000,000. I telegraphed you this afternoon, giving the substance of the British memorandum and the later instruction of the British Government.

The diplomatic corps will hold a meeting the day after to-morrow, to consider the reply of the Chinese plenipotentiaries indicating the means China proposes for paying the indemnities to the powers. From present indications, however, I greatly fear that it will take a great deal of telegraphing before anything definite is accomplished, most of my colleagues being apparently without any liberty of action whatever.

The wisdom of the proposal which you made to the powers in the early part of the year, to hold a conference in Europe or America for the settlement of these questions is made from day to day more apparent, and their refusal to accept your proposal is a source of constant regret to me.

I am, etc.,

W. W. ROCKHILL.

No. 89.]

[Inclosure 2.—Translation.]

Memorandum by Sir Ernest Satow May 14, 1901.

In view of the importance of the sum of 450,000,000 taels and the condition of the money market, a loan under the ordinary conditions would be impossible.

Three points noted:

First. Prevent the bankruptcy of China.

Second. The increase of the import duties beyond 5 per cent ad valorem is inadmissible, unless the questions indicated in article 11 of the Joint Note are settled in a satisfactory manner.

Third. Not to take part in a joint international guaranty of a Chinese loan.

On the other hand, propositions from China for a decrease of the total amount and for indulgence concerning the conditions of payment would be considered favorably.

The following plan might perhaps be feasible: China should hand to each of the powers bonds representing, at par, the proportion due each interested power. These bonds would bear 4 per cent interest with one-half per cent sinking fund.

The following revenues would be set aside for the payments on these bonds: The gabelle, native customs, and the increase of receipts accruing from a duty of 5 per cent ad valorem on imports by sea and by land, except on rice and opium.

(This latter would continue to pay the duties of the present tariff, which amount to 4.97, as import dues, plus 80 taels a picul; in all about 19 per cent.)

These revenues would be paid to a mixed commission, the organization of which should be approved by the powers. It would, however, not have any right to interfere directly in the administration nor in the imposition and perception of customs duties.

The payments to the commission should take place at frequent intervals. [The proposition of a monthly payment made by the Chinese plenipotentiaries seems to correspond to this idea.]

The commission would have charge of the distribution.

Right for each power to dispose of its bonds as it sees fit, and to guarantee them.

To give to China the necessary time to settle its affairs the issue of bonds could be extended. [It could commence by issuing 300,000,000; the balance as soon as the interest on its present debts commence to decrease, perhaps after five years.]

N. B.—The words in brackets are Sir Ernest Satow's amplification of his instructions.

Mr. Rockhill to Mr. Hay.

No. 90.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, May 20, 1901.

SIR: I have the honor to inclose herewith for your information copy of telegraphic correspondence had with the Yangtze Viceroys on the subject of suggested reforms and commercial privileges.

I am, etc.,

W. W. ROCKHILL.

[Inclosure.—Telegram.]

No. 90.] HANKOW, *May 11, 1901.*

ROCKHILL, *Peking:*

Viceroy requests you suggest policy; also send list of reforms and commercial privileges that powers would accept.

WILCOX.

[Inclosure 2.—Telegram.]

PEKING, CHINA, *May 16, 1901.*

AMERICAN CONSUL, *Hankow:*

Replying to viceroy's telegram, tell him United States strongly urges, as among the most important measures for trade, abolition of likin on imports and exports,

including transit pass duty; right of foreigners to reside and do business throughout the Empire; revision of inland navigation rules; creation of a mining bureau and good regulations: strict adherence to principle of equal opportunities to people of every nationality. I advise strongly that Peking be put on footing of treaty port and that measures be agreed to for improving river approaches to Shanghai, Tientsin, and Niuchwang.

ROCKHILL.

NOTE.—A similar telegram was sent to Consul Martin at Nanking May 17, 1901.

Mr. Rockhill to Mr. Hay.

No. 92.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, May 22, 1901.

SIR: The diplomatic corps held a meeting to-day to consider the note of the Chinese plenipotentiaries indicating how they proposed paying 450,000,000 taels, if this amount were asked as indemnity by the powers. Copy of this note was sent you in my dispatch No. 86 of May 16.

Sir Ernest Satow had but a few days before informed me privately that his Government advocated the reduction of the total amount of the indemnity to 400,000,000 taels. This I duly telegraphed you on the 20th instant. Much to my astonishment, but as I learned later, as a result of a further concession made at the last moment by the British Government to Germany, which it was apparently feared might join Russia and France in insisting on a guaranteed loan, he informed the diplomatic body to-day that his Government was in favor of a method which, while effecting a reduction of the amount to be asked of China, would not change appreciably the figure already mentioned—that is to say, 450,000,000 taels. He therefore proposed that after July 1 of this year the powers should not demand of China any further payments on account of the military occupation. This, it is estimated, would be a saving to China of not less than 1,500,000 pounds a month.

The Austrian, German, and Russian ministers were opposed to this proposition, the German minister expressing himself most strongly on the subject, saying that his instructions directed him to insist on the integral payment of every cent spent, or to be spent, by his Government on the expedition to north China. I fancy, however, his Government has before this practically accepted the British proposal.

The Russian minister, while not so emphatic, declined to commit himself to accepting the date of July 1, though he is personally in favor of it.

The British proposals (see my No. 89) were then read and there ensued a general exchange of views, when I took occasion to say that while reserving for future presentation to the diplomatic corps the proposal of my Government concerning the amount of the indemnity, which had not yet been accepted or rejected by the representatives of the powers, I felt at liberty to say that the United States would be pleased to see whatever indemnity might be asked of China paid by the issuance of bonds by the Chinese Government without international guaranty. If this were agreed to, we would be willing to take them at par and at 3 per cent interest.

The German minister then remarked that in view of my statement that I would again bring up the suggestion of the American Government to scale down the indemnities, he would ask his colleagues to finally vote on the subject. He said he was not aware that any of the powers saw any reason for limiting the figure of their demands on China

to £40,000,000, as we had suggested, especially in view of the note of the Chinese saying they could pay 450,000,000 taels, and of the note of Viceroy Chang Chih-tung offering to pay 400,000,000 in ten years. I replied we were, on the contrary, more convinced than ever that the figure we had indicated was the highest China could pay without getting into serious financial difficulties; that the report of the committee on the payment of indemnities was full of proofs of this; that the Chinese plenipotentiaries, while saying that China could pay this amount if called on, insisted on the fact that it would create grave financial disturbance in the country. As to the proposition of Chang Chih-tung (copy of which I sent you in my No. 82), it was not to be seriously considered, as it was practically based on doubling the customs dues and the likin, two measures we all refused to entertain, especially the second. I then said that if a vote was adverse to the original American proposition, I would then ask the diplomatic corps to vote on whether they agreed to make any reduction.

Mr. von Mumm then submitted to the diplomatic corps the following question, which it was understood was intended to cover the whole of the American proposition:

"Do the powers agree to ask of China as indemnity the expenses actually incurred by the Governments and the losses of societies and individuals, reserving for future determination the question of the advisability of limiting the figure of the indemnity to be asked of China to the 1st of July—that is to say, to the sum of 450,000,000 taels?"

All of the ministers voted affirmatively, the Russian minister stating, however, that he simply voted with the majority, though his Government was equally willing to accept the American principle of scaling down the demands or to ask the payment of all expenses incurred. I did not vote.

Continuing the discussion of the British proposition, the suggestion therein contained, that the indemnity should be paid in bonds, was next taken up.

The Russian minister objected to this method, saying that bonds were only a promise to pay and left the future too unsettled. For this reason his Government proposed a guaranteed loan. He also advocated the raising of the tariff on foreign imports into China to 10 per cent, because we require, to insure the payments that have to be made on account of the indemnities, the very best guaranties, and that in view of our ignorance concerning native revenues, he thought that we should confine ourselves to those collected by a foreign administered service.

The British memorandum proposed, as one of the sources of revenue for the payment of the interest on the debt, the increase of the tariff on foreign imports to a 5 per cent ad valorem effective.

All the ministers agreed to this with the exception of myself. I said the United States Government would not agree to any increase of the present tariff without compensating commercial advantages; that the concessions which we could make China on the tariff constituted the most powerful leverage we had on the country for settling a number of questions, and we could not relinquish this valuable right except with full assurances that these commercial grievances would be promptly righted. I trust my action will meet with your approval. I think that I may thus be able to secure the cooperation of my colleagues in insisting with the Chinese Government on the immediate undertaking of the conservancy work on the Shanghai River; also

those needed on the Tientsin River, and possibly at Niuchwang. Besides these I think we may secure their aid in having Peking placed on the footing of a treaty port. These are the compensations I shall at all events insist upon pending your instructions.

Before the meeting adjourned a note to the Chinese plenipotentiaries, asking them to indicate how they proposed paying interest on a sum of 450,000,000 taels, was agreed upon. I inclose herewith translation of said note.

Further discussion on the subject of the British memorandum was reserved until to-morrow.

I am, etc., W. W. ROCKHILL.

[Inclosure.—Translation.]

M. de Cologan to the Chinese plenipotentiaries.

No. 92.] PEKING, *May 23, 1901.*

YOUR HIGHNESS, YOUR EXCELLENCY: I have the honor to acknowledge to your highness and your excellency receipt of the letter which you were pleased to send me in reply to my communication dated May 7 concerning the indemnities. In the letter to which your highness and your excellency have just replied we informed you that the approximate figure of the expenses incurred and of the losses sustained by the powers amounted to the sum of 450,000,000 taels, calculated to the 1st of July of the current year.

In reply to this communication your highness and your excellency have informed me that the Chinese Government proposed to pay off this sum to the powers by monthly payments of 1,250,000 taels during thirty years.

The representatives of the powers have not failed to transmit this proposition to their Governments. But they must call the attention of your highness and your excellency to the fact that the total of the payments proposed by the Chinese Government only represents the capital of the sum mentioned, without the question of interest having been taken account of.

I consequently beg your highness and your excellency to be so kind as to inform us as soon as possible of the intention of the Chinese Government in this respect.

B. J. DE COLOGAN.

Mr. Hay to Mr. Rockhill.

No. 26.] DEPARTMENT OF STATE,
Washington, July 18, 1901.

SIR: I have to acknowledge the receipt of your dispatch No. 92, of May 22 last, reporting the proceedings of the meeting of the diplomatic corps held that day to consider the note of the Chinese plenipotentiaries indicating how China proposes to pay the estimated indemnity of 450,000,000 taels.

Your position on the question of customs duties, likin, and commercial privileges, as stated in the dispatch, is entirely in the line of the instructions telegraphed to you last spring, and is cordially approved by the Department.

I am, sir, etc., JOHN HAY.

Mr. Rockhill to Mr. Hay.

No. 93.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, May 23, 1901.

SIR: The diplomatic corps continued to-day the discussion of the British proposals for the payment of the indemnity by China.

The first question taken up was that of the mode of payment—whether a guaranteed loan should be asked for or whether China should issue bonds.

The French minister said that the only instructions he had on the subject were those given some time ago to his predecessor, Mr. Pichon. France preferred the system of a guaranteed loan as being the simplest and most natural method, and the one which best equalized the conditions in which the loan would have to be made. Though he had no recent instructions, he thought that France would regulate her conduct on considerations of general interest and of the particular interest of China, whose restoration we were seeking, and without which the necessary means for discharging her newly incurred indebtedness could not be secured.

The Japanese minister said his Government preferred an international guaranty, if all the other powers agreed to this plan.

The German minister pronounced himself in favor of the issuance of bonds, but stated (I presume as his personal opinion) that he saw no objection to some of the powers guaranteeing between themselves the bonds issued to them by China.

The Austrian, Belgian, and Dutch ministers were without instructions.

The Italian minister said that his Government had no preference for one over the other mode.

I repeated what I had said the day before as to the preference of the United States for bonds without an international guarantee and our willingness to take them at par and bearing 3 per cent interest.

I am inclined to think, in view of the decided preference expressed to-day for the issuance of bonds by China for the payment of her debt, together with the statement of the French minister and the fact that the Russian minister did not further urge the views of his Government, that the British proposals will be very shortly agreed to by all the representatives.

The question of the sinking fund was then taken up by the ministers, and after some desultory discussion it was decided to request the Committee on the payment of the indemnities to have drawn up a number of plans of amortization, it being the understanding of the foreign representatives that the Chinese preferred to extinguish the debt within the shortest period possible, say thirty years.

The question of the interest on the bonds was also discussed, Great Britain proposing 5 per cent and the United States 3 per cent.

The Japanese minister remarked that he thought, if the debt were paid off in bonds, that some provision should be made for the countries which can not raise loans at a very low rate of interest; Japan, for example, had to pay 5 per cent. He suggested as a possible solution, in case a low rate was finally agreed upon, that an additional amount of bonds over and above that which represented the amount of the indemnity due be issued to the countries thus situated, so as to cover the difference between the amount of interest they would have to pay for a loan and the rate of interest insured by the bonds.

This plan does not seem to me to be practicable and would work a great hardship on China. * * *

I am, etc.,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 94.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, May 25, 1901.

SIR: * * * My cablegram to you of the 22d informed you of the sudden change in the British Government's proposals, and that the representatives of the powers had practically agreed to demand of China the full amount of the expenses incurred by their Governments, subject to their being finally closed for presentation to China at the end of the month of June. In other words, the sum of 450,000,000 taels is approximately the minimum of the demand they will make on China.

In my dispatch No. 92, of the 22d instant, I explained this last phase of the negotiations and gave an explanation of Great Britain's repeated changes in her proposals. I may add that the British proposal to reduce the amount of the indemnity to £50,000,000, which I telegraphed you on April 26, was never submitted formally by Sir Ernest Satow to the conference.

The position of Germany on the question of the indemnity has, as I have advised you repeatedly, been most uncompromising. The urgent necessity for Great Britain to maintain her entente with Germany in China is, of course, responsible for the numerous concessions she has recently made to German insistence on being paid the last cent of her expenses. The most remarkable of these concessions is found, however, in the British Government's willingness to have the tariff on imports raised to an effective 5 per cent ad valorem, without compensating commercial advantages. * * *

It is true that the proposal of the United States to scale down the indemnity has not been met with the approval of a single one of the powers, but our insistence in the cause of moderation has unquestionably been instrumental in forcing them to limit their demands. Had it not been for our endeavors, China would, without a doubt, have been obliged to consent to infinitely harder terms than those which will be probably submitted. The American policy of moderation has had other distinctly beneficial results. * * *

The President's policy of moderation brought about a revision of the lists of proscription, and has thus saved many persons, now known to be innocent, whose names had been placed thereon in the heat of the moment.

In numerous other ways have the United States been able to exercise a moderating influence in the councils of the powers, while still maintaining the concert which, clumsy as it undoubtedly is, is still, so long as it exists, a tolerable guarantee of the maintenance of Chinese integrity and of equal trade privileges for all the world. I firmly believe that we shall be still further able to vindicate in other ways the wise policy of the President during the remainder of the negotiations, and by it greatly benefit American interests in China.

I am, etc.,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 95.] *Peking, China, May 25, 1901.*

SIR: The diplomatic corps held a meeting to-day for the discussion of pending questions.

A note was prepared to the Chinese plenipotentiaries concerning the limits of the diplomatic quarter in this city. This note practically settles the whole question. I will send you copy of all correspondence bearing on this point of the negotiations as soon as I can get them together.

By referring to the British proposals concerning the payment of the indemnities (see my dispatch No. 89), you will find it there suggested that the payments on account of the indemnities should be made by the Chinese Government to a mixed commission, which would distribute them among the powers in proportion to their claims. To-day the committee on the payment of indemnities, to further expedite the discussion of this subject, made the following report to the conference. I quote it in full:

The committee on the payment of indemnities is of opinion that the committee of encashment (committée des recettes) proposed by the British Government should be composed of the heads of the foreign banks at Shanghai designated by the interested Governments to receive in common the sums of money which they shall have collected from China. The said committee of encashment shonld confine its operations to cover in the total amount of the sums due, dividing it among the powers proportionately to the amounts due each one of them.

This subject can, of course, only be settled when the mode of payment of the indemnities has been finally decided upon.

The German minister then stated that his Government, desirous of bringing about as promptly as might be a settlement of the question of indemnity, had accepted the proposition of the British Government to limit the amount of the indemnity to be asked of China to the approximate sum of 450,000,000 taels, calculated to the 1st of July of this year, with interest of 4 per cent, reserving for future determination the question of the amortization. His Government was ready to ask at once of the Chinese Government a guaranty for the payment of this sum and for the interest specified.

The Italian minister also informed the conference that his Government accepted the British proposal to limit the demand to the 1st of July, and to accept the approximate figure of 450,000,000 taels.

None of the other ministers had received instructions from their Governments, but it is highly probable that at the next meeting most of them will be able to announce their formal adherence to the British proposal.

I have informally informed several of my colleagues that I would ask you whether you would accept the British proposal, but I have not held out any hope of your doing so. I have, on the contrary, said that it only remained for me now to ask that the whole subject of the indemnity be transferred to the Arbitral Court of the Hague. This has given my colleagues a good deal of uneasiness, and they greatly fear the delay which such a motion on the part of our Government might occasion, though they all feel convinced that a reference of the question as you suggest would not be agreed to by any of their Governments. As I am convinced of the truth of this also, I shall not formally make the suggestion unless directed to do so by you.

The above subjects having been temporarily disposed of, the ques-

tion of replying to the last letter of the Chinese plenipotentiaries concerning the suspension of examinations for a period of five years was taken up.

The Chinese have already agreed to the suspension of examinations in all cities and towns where foreigners were massacred or cruelly treated, with the exception of Peking and Tai-yuan Fu, the capital of Shansi. They contend, and with some degree of reason, that it is not fair to close the provincial and metropolitan examinations—the latter of which must be held in Peking, and once in every three years only—to people who have never been hostile to foreigners, and who belong to towns where no massacres or riots occurred.

The Russian, French, and Japanese ministers are in favor of a compromise. The whole question of Chinese examinations is, however, so badly understood by a number of the foreign ministers that they hesitate very much to come to any decision on the subject. The discussion to-day did not result in any progress being made toward a final understanding. * * *

I have the honor, etc.,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 96.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, May 27, 1901.

SIR: I have the honor to inclose herewith, for your information, translation of an Imperial Edict directing the Chinese plenipotentiaries to bring to a prompt close the peace negotiations, so that the Emperor may return to his capital.

The general belief among foreigners in Peking is that the Court will not start on its return to Peking until the entire withdrawal of the expeditionary forces from Peking and the neighborhood, and until such time as the only foreign forces here are the legation guards. I heard from various sources, however, that some preparations have been made along the roads which will be followed by the imperial party, and also in the Forbidden city, for the Emperor's return.

I have the honor, etc.,

W. W. ROCKHILL.

No. 96.] *Imperial Edict.*

[Inclosure.—Translated from the Peking Gazette of May 25.]

On the 1st day of the fourth moon (May 18) the Grand Council, at an audience, received the following Edict:

The governor of Shun-t'ien (Peking) has twice petitioned us on behalf of the gentry and people, begging us to return (to the capital), and now again the members of the censorate unite in a joint memorial (to the same effect). All of this is evidence of the sincere affection and longing (of our subjects).

Formerly we respectfully begged the Empress Dowager to halt at Chang-an (Si-ngan), and, gazing from this great distance upon the ancestral shrines and altars of the tutelary dieties, we have been constantly filled with sorrow, and could not but most earnestly desire to return, and thus satisfy the wishes of the ministers and people of the whole Empire.

Let Prince Ching and Li Hung-chang bring the peace negotiations quickly to a close and cause the foreign troops to be withdrawn, that it may become possible for us to set a day for our return.

Prince Ch'ing and his associates, too, should publish this Edict for the information of the ministers and people.

As to the time of Our return, it will be necessary for the Court to have everything properly prepared, and we appoint Shi Hsu to put things in order beforehand.

Respect this!

Mr. Rockhill to Mr. Hay.

No. 98.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, May 28, 1901.

SIR: The diplomatic corps in its meeting of to-day read a letter from Field Marshal Count von Waldersee in reply to one sent him by that body on the 24th of last month, in which it had expressed its opinion that the Provisional Government at Tientsin should hand over its powers at the earliest date possible to the regular local Chinese authorities. The marshal reasserts his opinion that this Provisional Government should be maintained as long as there is any considerable foreign military force in Peking. I inclose copy of the marshal's letter; also one of the reply agreed upon to be made.

The opinion of the diplomatic corps on this point was submitted to and received the approval of the various Governments, and the field marshal was so informed. Since then nothing has occurred to alter the belief that the evacuation of the native city of Tientsin and the transfer by the Provisional Government to the Chinese authorities of the authority with which it was intrusted by the commanders of the troops in north China during that period of disorganization resulting from the occupation of Tientsin should be brought to a close as soon as possible, just as is being done now in other parts of this province held by foreign troops.

The marshal's letter has been referred by the various ministers to their Governments for final instructions on the matter. I beg you will give the subject your early attention.

I informed you in my dispatch No. 85, of the 13th instant, that the diplomatic corps was endeavoring to reach a conclusion on the subject of the suspension of the metropolitan examinations, which the Chinese plenipotentiaries think should be excepted from the operation of paragraph B, article II, of the Joint Note. This subject was taken up again to-day and two proposals made. The first stated that while the powers could hold out no hope of an amelioration of the terms of the demands for the suspension of examinations in all the towns and cities where foreigners had been massacred or had been subjected to cruel treatment, the conditions in which the metropolitan examinations take place (these examinations can only be held in the capital of the Empire and under the nominal direction of the Emperor, who confers in person some of the degrees then competed for) not existing, the powers reserved to examine later on the question of these examinations.

I voted against this proposal, which, in my opinion, would leave the whole question unsettled.

The Russian minister then proposed that the metropolitan examinations at Peking should be allowed only for graduates of provinces in which foreigners had not been massacred or been subjected to cruel treatment.

I voted for this proposal, as I did not think it was the intention, of the United States at least, to punish people from those provinces of

China which had taken absolutely no part in the antiforeign movement of last year. Neither of these two proposals, however, securing a majority of votes, the question is again deferred for future consideration.

The Russian minister informed the conference that he had received from his Government instructions to accept the proposal in the British memorandum relating to the payment of the indemnities, and which provides for a committee of encashment, to receive from China the various payments which it will have to make on account of the indemnity, and to distribute them among the interested powers in proportion to their various claims.

I understand by this that the Russian Government abandons its proposal to secure any loan with an international guarantee for the payment of the debt.

This afternoon the private secretary of Li Hung-chang informed me that the Emperor had accepted the demand of the powers for 450,000,000 taels as indemnity, and had agreed to the payment of interest thereon at 4 per cent, though His Majesty's Government hope that it will be found possible to slightly reduce this amount.

In this connection I transmit herewith for your information copy of a telegram which I received on the 26th instant from the Viceroy Chang Chih-tung. While this telegram is in reply to one I sent him on the 17th instant, copy of which was inclosed in my dispatch to you, No. 90, of the 20th instant, the latter part of it relates to the question of the payment of indemnity.

The diplomatic corps not having yet considered formally the question of the interest to be demanded of China, I have not yet replied to the Viceroy's telegram.

I have the honor, etc.,

W. W. ROCKHILL.

[Inclosure 1.—Translation.]

Count von Waldersee to M. de Cologan.

No. 98.] HEADQUARTERS WINTER PALACE,
Peking, May 25, 1901.

MR. MINISTER: Referring to my letter of the 29th of April, I have the honor to again submit to your excellency, as dean of the diplomatic corps, the following considerations concerning the council of Tientsin:

The council of the provisional government of the district of Tientsin was created several days after the capture of that city, the transfer of the whole administration to the hands of the military authorities appearing an inevitable necessity.

To render possible the accomplishment of the duties which devolved upon it, it became necessary to extend little by little the area of its administration, so that this includes to-day not only the city of Tientsin itself, but also the neighboring territory along two banks of the Peiho as far as Taku, inclusively.

All the allied powers, with the exception of Austria-Hungary, are represented in the council, the organization of which, generally speaking, is the following:

First. General secretary; bureau of the council.

Second. Police, with a personnel partly military, partly native.

Third. Treasurer, to settle all financial business.

Fourth. Justice, to decide all judicial differences, and to judge all penal cases which can not be concluded directly by the chiefs of the police or the chiefs of districts.

Fifth. Public works, to finish works already commenced; to take up again and execute such works as are deemed desirable for the military interests or general interests.

Sixth. Salubrity, to prevent epidemics and to establish better conditions less dangerous for the public health than those existing at the present day.

Seventh. Chinese secretary, to make all necessary translations, to decide all demands, complaints, and requests made orally, to draw up proclamations, etc.

Furthermore, the four districts of the suburbs of which are under the orders of a chief of district, to whom is confidedthe maintenance of peace, and who is competent to decide directly disputes and questions of minor importance.

These chiefs have in the two largest districts as assistants two and three officers, respectively, and they have the services of noncommissioned officers and soldiers of the allied forces for the duty of police inspectors and police soldiers, so as to superintend, with their assistance, the police service, which is, as a general thing, performed by the native police.

The staff directing the above-mentioned divisions (with the exception of the Chinese secretary) is naturally composed at the present time exclusively of persons of the nationalities of the allied powers. Their number, however, is confined to the strictest limits. The subordinates, however, are already at the present time recruited as much as possible among the natives.

The above-mentioned organization, whose principal duty is to facilitate as much as possible by the measures which it adopts the accomplishment of the object which the allied forces can have in view, has, as a general thing, filled perfectly all requirements, and has been able to gain the confidence of the Chinese population. In my opinion, it would be impossible to replace it advantageously at the present time by a new organization.

Nevertheless, referring to my letter of the 29th of April to your excellency, I find myself obliged to point out again that, as my personal opinion and as that of the commanders of the contingents, it is absolutely necessary that the administration of the district of Tientsin should remain under military authority as long as international troops in any considerable number are stationed there. The effective force amounts at first to at least 7,000 men, since it is necessary to add to the 6,000 men constituting the contingent of occupation 600 men of French troops, destined to protect the railroad, several Russian military posts at Tientsin, Tongku, and Taku, as well as station guards (etapes) at the two last-mentioned places.

But if, as I have had the honor to state in my above-mentioned letter, submitting the administration of the occupied territory to military authority is in perfect accordance with the stipulations of the conference of The Hague of 1899, which were approved and adopted by the powers, on the other hand no doubt can be entertained that the transmission of the administration of the district in question to the Chinese Government would inevitably lead in a short space of time to most embarrassing complications, the consequences of which can not be foreseen between that Government and the military authorities, as these latter must depend for the satisfaction of a number of their wants on the measures adopted by the administration, being only able to count on its assistance for securing them.

In this connection I take the liberty of again noting that the settlement of these difficulties would cause the diplomatic corps much useless and protracted preoccupation. But, putting aside even the question of the feasibility of making the allied contingent dependent on the orders of Chinese officials, the multiplicity of allied contingents represented in the army of occupation would increase this indefinitely.

I see, furthermore, in the preservation of the administration under military authority a most efficacious means of obliging the Chinese Government to keep those promises to which it has already subscribed.

If, as I do not think possible, a common commander in chief for the international troops should be created, he would have the position of a military governor, to whom it would be then necessary without further consideration to submit a civil administration; but even he could not do better than to use the provisional council which already exists and is discharging well its duties while gradually increasing the Chinese functionaries in it.

In the probable case of such a commander in chief not being appointed, I believe, as formerly and without any reservation, that nothing better could be done than to allow the provisional council to subsist, while pledging it to add Chinese functionaries gradually and always in increasing numbers in its administration.

The fact that the work of the council extends exclusively to the Chinese city of Tientsin and other Chinese territory, while that of the consular body is essentially limited to the concessions, seems to make it quite possible that the two corporations should exercise their duties without at all clashing, and it will be simply a question of tact on the part of the one and the other to escape all misunderstanding.

I take the liberty of again submitting to the consideration of the diplomatic corps the question of eventually deciding whether it would not be desirable in the future that the council should count among its numbers a representative of America, which power is not leaving any occupation forces at Tientsin.

COUNT VON WALDERSEE,
General Field Marshal.

[Inclosure 2.—Translation.]

Dean of the Diplomatic Body to Count von Waldersee.

PEKING, *May 28, 1901.*

MONSIEUR LE MARÉCHAL: I have the honor to acknowledge the receipt of the letters which your excellency has been pleased to send to me under dates 29th of April and 25th of May, concerning the provisional government of Tientsin.

The foreign representatives, to whom I have submitted these communications, think that they can not express their opinion before having received instruction from their Governments.

I will hasten to forward a reply to your excellency as soon as my colleagues have been able to agree upon one.

Please accept, etc., B. J. DE COLOGAN.

[Inclosure 3.—Translation.]

Viceroy Chang Chih-tung to Mr. Rockhill.

WUCHANG, CHINA, *May 26, 1901.*

His Excellency W. W. ROCKHILL,
Special Plenipotentiary, Peking:

I have duly received your excellency's telegram and have perused the various points which you consider suitable and advantageous to trade. Trade is the basis of a country's prosperity. I perceive that all of the points presented in your excellency's telegram have for their object the question of the expansion of trade. If regulations can be fixed that will prevent abuses, prove a benefit to China, advantageous to the trading classes and ordinary people, I shall be very pleased to consider them. As to the point referring to the working of mines and proper regulations, thus opening China's sources of wealth, if uniform system can be devised and action taken in accordance therewith, this would be a business at present of exceeding importance. I shall be glad to consider the matter, and, after a decision has been arrived at, to memoralize the throne, asking permission to undertake the work. In your excellency's telegram you state that the United States desire is to obtain commercial privileges. At the present time the amount (of indemnity) is very large, the foreign powers demanding 450,000,000 (taels) at 4 per cent interest, covering a period of thirty years. A payment of 26,000,000 annually is to be made. The Chinese people are poor, and to demand further payments from them to meet this enormous indemnity would still reduce the traders and people to an impoverished state. The demand for foreign goods, in consequence, would be reduced, and this would be at variance with the idea of the United States to have commerce and trade developed. I earnestly beg that your excellency will discuss the question with the foreign representatives of reducing the indemnity; also the rate of interest at least 1 or half of 1 per cent. The former American (British?) minister Sa (Ma? McDonald) named the rate of interest at 3.7 per cent. If the rate can be reduced it would make it much easier for the people to bear, and trade would gradually develop. This would prove equally advantageous to both foreigners and Chinese. If this can be done I will be ever, ever so grateful. Please favor me with a reply by wire at your early convenience.

Mr. Rockhill to Mr. Hay.

No. 99.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, May 29, 1901.

SIR: I have the honor to acknowledge receipt of your telegram of the 28th instant. * * *

To-day I was informed by the private secretary of Li Hung-chang, and the news was confirmed later in the day by several other Chinese officials attached to the staff of the Chinese plenipotentiaries, that an Imperial edict was received yesterday by Prince Ching and Li agreeing to pay an indemnity of 450,000,000 of taels and 4 per cent interest.

The other foreign representatives have also been advised by he

Chinese of the willingness of their Government to pay the above-mentioned sum. There is, therefore, no possibility of our suggestions to either reduce the amount of the indemnity or transfer the whole question to The Hague tribunal being considered, and I shall agree to the sum of 450,000,000 as soon as I learn that it is accepted by all of my colleagues.

The sum of 450,000,000 of Haikuan taels (United States gold, $333-900,000) will of course be subject to some change by the adjustment of the private claims. It represents the maximum of the sum which China acknowledges she owes the powers. All the powers, excepting the United States, have intrusted, I believe, the adjustment and determination of the amounts allowable on the claims of their nationals to their diplomatic representatives here, who will be guided by the rules adopted by the conference (the United States always excepted), a copy of which rules I transmitted to you in my dispatch No. 42.

As to our claims, I have given the figure as United States gold $25,000,000, and have stated that it covered all claims of every description. * * *

I am, etc., W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 100.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, May 30, 1901.

SIR: I have the honor to inclose herewith for your information copy of a letter addressed to me by Li Hung-chang under date of May 17, urging that he may be permitted by the commander of the international forces to use the regular Chinese forces at his command to restore order in the province. A similar letter was addressed to the other representatives and to Field Marshal Count von Waldersee.

I also inclose translation of the letter the field marshal has addressed to the military commanders here, detailing the steps he has taken to comply with Viceroy Li's request.

I am informed that there are now about 13,000 Chinese regulars in the province, and that several thousands more of Yuan Shih-kai's foreign-drilled troops are shortly expected to arrive from Shan-tung. These latter, Viceroy Li has told me, will be employed as a police force in Peking as soon as the foreign troops are withdrawn. They are the best disciplined troops in China, and I think will discharge their delicate duty in Peking well.

It is hoped that a date for the evacuation of Peking may be agreed upon at a very early date.

I am, etc., W. W. ROCKHILL.

[Inclosure 1.—Translation.]

Li Hung-chang to Mr. Rockhill.

PEKING, *May 17, 1900.*

YOUR EXCELLENCY: I have the honor to inform you that I have received a communication from Major-General "Kai-lu" (i. e., Von Gayl) saying that he had received a dispatch from Count von Waldersee stating that in the region south and southwest of Cheng-ting Boxers were daily increasing in number and that if China were unable to quickly exterminate them he proposed to send a large force and

pursue them straight into the borders of Shansi and clear them out. On this account General "Kai-lu" had written me the above letter, which was submitted for my examination, etc.

As to this matter I have to say that the Boxers were originally idle vagabonds who at first did no more than pretend to be expert jugglers, hoping thereby to assemble a crowd of followers and fool them out of their money. Later they presumed on the name of enemies to the church to stir up ill feeling and cause the ignorant populace to join them, and lest the local officials should seize them they again changed their tactics and adopted the motto, "Protect the Ch'ing and destroy the foreigners," to manifest their loyalty and to cover up all traces of rebellious designs. It never occurred to me that the principal local officials and high ministers of state would neglect to search out their treasonable conspiracies, but instead become their leaders, even to the extent of deceiving those who were in the palace into listening to their angry and lawless words till the fire had spread abroad and could not be extinguished; and after the allied armies of all countries had come to the capital these Boxers fought again and again before they learned that they could not overcome. Then they changed their clothes, became farmers, or fled to their holes, or went into hiding.

On receiving the Imperial commands transferring me to the capital I sent orders to all the civil and military officials under my authority, commanding them in a large proclamation to use their energies and seize (these offenders). Although in every chou and hsien men were being continually seized and executed by the military authorities, these altogether did not amount to more than one or two in a hundred, and the greater part had the good fortune to escape. According to the usual procedure, strict orders ought to be given to search out and arrest them, that the evil may be rooted out. But there is no help, for wherever the allies go if they see our soldiers their suspicions are aroused at once and they either prevent our soldiers moving forward or search and seize their rifles and cannon, with the result that our troops, even in their distant camps outside the "red line," are unable to carry on any operations. Should they have occasion to attempt to seize robbers they are stopped by repeating rifles and quick-firing guns, so that the Boxers have dangerous weapons and our men almost none at all and can only sit down with their hands tied. All this is due not to the fact that our Government does not desire to seize the Boxers, nor is it that they are unwilling to quickly exterminate them; still less is it that our troops are not strong enough to deal with the Boxers. It is simply because of the allies' interference in every place that things have come to this pass.

Now that peace negotiations are in progress and the troops are soon to be withdrawn, the duty of dealing with local bandits is one that ought to devolve upon myself. Count von Waldersee speaks of quickly exterminating them. Naturally it is our own desire that the country should be quickly pacified. If the foreign powers are in earnest in their desire for international good will they should allow us quickly to put down the rebellion among the people, and I have to request that they will give orders to their various district commanders to permit me to gather and arrange troops and order the various camps to divide the country among them, assume responsibility each for its own section, and take proper weapons and use diligence in exterminating (these offenders). I dare guarantee that within one or two months all roads will be quiet and orderly and that there will be no more danger of Boxers. But it ought to be clearly agreed that our troops shall have a permit, written in all languages, and that should they meet with any foreign troops on the road, on inspection of this permit, they shall be allowed to pass. Thus mutual clashing will be avoided. In such a case the ministers of the various powers residing in Peking on the one hand should inform their military officials at all points, and on the other should give a permit in 10 odd sections (?), which should first be sent to me, commanding each army, on examination of the permit, to allow the bearers to pass, that there may be no more interference with their marching nor seizing of their arms. Then friendly intercourse will prevail, and China and the foreign powers more than ever have mutual peace. Since last year the armies of the various powers have in our stead dealt with the Boxers, but the speech of the foreign soldiers can not be understood by the people, and when these latter flee it is impossible to distinguish honest folk from Boxers and very difficult to get hold of the latter. Therefore the use of foreign soldiers in dealing with the Boxers is not to be compared in effectiveness with our seizing them ourselves. As in duty bound, I send this dispatch for your information, and I have to beg that your excellency will give it your favorable consideration. I trust you will readily respond to this request, and I shall anxiously await your reply.

[Inclosure 2.—Translation.]

Count von Waldersee to General Voyron.

GENERAL HEADQUARTERS, PEKING,
Winter Palace, May 19, 1901.

So as to furnish the Chinese Government the opportunity of proving its good will and its ability to maintain with its own forces tranquillity and order in the country, I have agreed with the grand secretary, Li Hung-chang, that, beginning on the 26th of the present month, the Chinese regular troops shall have full liberty of moving about in the region to the north and to the east of the line of Cha-tao, Huai-lu, Ping-ku Hsien, San-ho Hsien, and Pan-ti Hsien (including these localities), and shall be charged with repressing brigandage.

In the south also, in conformity with the wish expressed by your excellency that Sin-lo should be the extreme point of the occupation in the south, I have drawn the line of demarcation of the points occupied by the allied troops so that it follows now the course of the Mu-chu Ho, to the north of Ho-chien and to the south of Sin-lo.

I have the honor to request your excellency, in case you agree with me, to inform the troops under your orders of the above facts, and to be so kind as to request them not to interfere with the movements of the Chinese troops, passes having been delivered to the Chinese generals in question within the region which is assigned to them, and under no circumstances to attack them.

Furthermore, I have requested the grand secretary to inform me immediately of the places to which he intends bringing Chinese troops in greater numbers, so that in the case of an eventual evacuation by the allies of the cities of Peking and Paoting Fu they can undertake the rapid occupation of those points.

A. VON WALDERSEE,
General Field Marshal.

Mutatis mutandis to the commanding generals of the various foreign contingents.

Mr. Rockhill to Mr. Hay.

No. 101.] COMMISSIONER OF THE UNITED STATES TO CHINA.

Peking, China, May 30, 1901.

SIR: I have just received a translation of a communication addressed by the Chinese plenipotentiaries to the dean of the diplomatic corps, in reply to the note of the latter under date of the 22d instant (copy of which was inclosed in my No. 92 of that date) asking what steps the Chinese Government proposed taking to pay the interest on the indemnity.

This note contains the terms of an Imperial edict accepting the indemnity of 450,000,000 taels with interest at 4 per cent.

I reserve comments on the proposal of the plenipotentiaries contained in this communication for a later date, not wishing to delay sending you the paper by the mail closing in a few hours.

I am, etc.,

W. W. ROCKHILL.

[Inclosure.—Translation.]

Chinese Plenipotentiaries to the Dean of the Diplomatic Corps.

PEKING, *May 30, 1901.*

(After acknowledging the receipt of the communication of the representatives of the powers, the Chinese plenipotentiaries continue as follows:)

In considering in a previous dispatch the question of indemnities we explained to your excellency the penury of the Chinese treasury.

In your last communication your excellency is pleased to call our attention to the fact that the annual payments of 15,000,000 taels which we proposed only represent the capital, and you now call our attention to the question of interest.

As we on our side had already considered that besides the capital there was also to be taken into consideration the question of annual interest at 4 per cent, we had already, by telegram, submitted to the Throne propositions on this subject, and in reply we have received an Imperial edict stating that "The figure of 450,000,000 of indemnities to be paid the powers, with interest at 4 per cent, is approved," and we are commanded to take the necessary measures to carry out this decision:

We have therefore only to comply with the orders of the Throne.

Nevertheless, this obliges us to recall to your excellency that the financial resources of China are so restricted that nothing more can be taken from them possibly beyond the 15,000,000 taels which we have already proposed to your excellency to devote specially to the payment of indemnities; but as this sum must not only supply payment of the capital but also that of the interest, we have no other alternative to propose than to prolong the term of payments, which we had in the first place fixed at thirty years, in such a way that the installments paid during the first period of this term thus extended shall be considered as destined to extinguish the capital, while those made during the second period shall be applied to liquidating the interest account, after which all payments would cease through the extinction of the debt.

The Imperial Maritime Customs already intrusted, as we had proposed, with the payments of the capital, would likewise be intrusted with the payments on account of interest. As to the amount of the annual interest, it would be understood that it would decrease proportionately every year, according to the progressive reduction of the capital.

We have the honor to request your excellency to kindly inform us what you think of the plan we suggest above to pay off both capital and interest, or if in your opinion it would not be better to consider a portion of the 15,000,000 taels paid annually as an installment on the capital to be paid off, and the balance as an installment on the interest. These details require a careful examination, and demand a previous and full understanding between the parties.

China having thus shown its good will in assenting to the demands of the powers on the question of the indemnity, and in taking all the necessary steps to insure an integral payment of it, we hope to have soon the satisfaction of learning that the powers are in a position to fix an early date for the evacuation.

We have the honor to request your excellency to kindly communicate the above to the representatives of the powers.

Mr. Rockhill to Mr. Hay.

No. 102.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 1, 1901.

SIR: I have the honor to inform you that the expeditionary forces in Chihli are being rapidly reduced, and that within the next month some 15,000 to 20,000 men will probably be withdrawn. The German minister communicated to the diplomatic corps to-day a telegram from the German Chancellor stating that "as none of the powers taking part in the occupation of China has raised objections to the telegraphic proposal to recall the commander-in-chief, and as the Emperor of China has reiterated his formal promise concerning the payment of an indemnity of 450,000,000 taels, with interest at 4 per cent, the recall of the commander-in-chief will be carried out at once. At the same time the German expeditionary forces will be reduced to one brigade." The brigade will be composed of 9 battalions of 300 men each.

The Japanese are taking back their time-expired men, and will probably keep seme 3,000 to 5,000 men in Chihli. The French announced some weeks ago that they were going to withdraw immediately between 8,000 and 9,000 men. Though their withdrawal was temporarily suspended, it is probable that, now that the Germans have

begun theirs, it will be carried out. The British send a regiment off to Weihai Wei in a few days, and I hear that ten transports have been ordered to come to Taku to take away the other British troops.

In my dispatch No. 100 of the 30th ultimo I informed you of the steps being taken to gradually hand over the policing of the province to the Chinese forces. I have not yet been informed of the method to be followed in transferring the control of this city to the Chinese authorities, but will advise you of it as soon as I can.

I confirm my cablegram to you of this date.

I am, etc.,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 104.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 1, 1901.

SIR: The diplomatic corps met to-day to consider the various plans of amortization of the Chinese indemnity. I inclose herewith copies of the two schemes which were considered.[1] The first, prepared by the agent here of the Hongkong and Shanghai Banking Corporation, contemplates amortization of the entire debt of 450,000,000 taels, with interest at 4 per cent, in a period of fifty years. Its principal inconvenience is that it does not apply to the amortization all the sums which in the next forty years become available for that purpose by the gradual extinction of the other foreign Chinese debts.

The plan of the Commission, which contemplates amortization of the entire indemnity in forty-five years, is based on the principle that all accrued balances left over from the reduction of the Chinese foreign debt are applied to this purpose and no new charges made on China beyond the 18,000,000 taels necessary for the payment of the 4 per cent interest. The amortization under this latter scheme, which was accepted in principle by the diplomatic corps, commences in 1906.

The diplomatic corps also examined two schemes of amortization submitted by the Chinese plenipotentiaries. The first plan contemplated repaying the capital of 450,000,000 taels in thirty years, and afterwards paying for twenty years the sum of 13,950,000 taels as interest, or 279,000,000 taels as interest. This plan, of course, takes no account of compound interest and does not figure out an ordinary interest of much over 3 per cent. The second Chinese plan contemplates the amortization in forty years, and provides for the addition to the capital of the total of the interest and the payment in forty equal installments.

The question of the currency in which the indemnities would have to be paid was also considered by the diplomatic corps, but no agreement reached on the subject. The discussion seems premature until the powers have agreed whether they will limit their demands to 450,000,000 taels to the 1st of July. So far, the only powers which have formally agreed to this are Great Britain, Germany, Belgium, Holland, and Italy. I reserve to announce our acceptance of it until all the other representatives have done so.

I have the honor, etc., W. W. ROCKHILL.

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[1] Not printed.

Mr. Rockhill to Mr. Hay.

No. 105.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 3, 1901.

SIR: With further reference to the note of the Chinese plenipotentiaries agreeing to pay an idemnity of 450,000,000 with 4 per cent interest, I inclose herewith translation of the minutes of a meeting held yesterday between the members of the committee on the payment of indemnities and Viceroy Li Hung-chang.

The remarks of the Viceroy are sufficient explanation of the proposals contained in the Chinese note, copy of which I inclosed you in my dispatch No. 101, of the 30th ultimo.

I have the honor, etc., W. W. ROCKHILL.

[Inclosure.—Translation.]

Committee on the payment of indemnities.

His Excellency Li Hung-chang, assisted by Messrs. Hsu Shou-peng and Na Tung, are present at the meeting.

Mr. von Mumm explained to His Excellency Li Hung-chang that the committee has consented with pleasure to his desire to give it explanation on the letter by which the Chinese plenipotentiaries have declared that the Chinese Government accepted to pay interest at 4 per cent on the capital of the indemnity. The committee is not acting at the present moment in virtue of any instructions from the diplomatic corps, but in its personal capacity. It has as its only object to secure information on certain passages in the letter referred to, and which seemed to it obscure. It would particulary like to know how the Chinese plenipotentiaries understand the system of amortization which they proposed.

His Excellency Li Hung-chang: We propose to pay in the first place the capital in twenty years, then the interest in twenty years.

Mr. von Mumm: This system would cause a loss to the powers, since it does not take into account compound interest; that is to say, interest on the interests, the payment of which is deferred. For if we accept provisionally the figure of 450,000,000 taels as the total of the idemnities, the annual interest at 4 per cent would be 18,000,000. If China only pays 15,000,000 for the first year, there remains 3,000,000, the payment of which is deferred, and which consequently would also bear 4 per cent interest from the following year. At the beginning of the second year China would owe, therefore, 453,000,000 taels as capital, and so on and so on.

His Excellency Li Hung-chang: Could not a portion of the 15,000,000 be devoted to the payment of the capital and the other to the payment of the interests?

Mr. von Mumm: That is not possible, since the sum of 15,000,000 taels is lower than the amount of the interests, which are 18,000,000 taels.

His Excellency Li Hung-chang: My proposal is therefore impossible to apply, and some other system must necessarily be adopted to satisfy the powers.

Mr. von Mumm: The committee, speaking always for itself, and without instructions from the diplomatic corps, is of opinion that the system already in force as regards the old loans should be applied to this new one. In paying a sum slightly in excess of the interest, the amortization could go on. Nevertheless, China experiencing difficulties to supply new resources, we have worked out a combination which does not impose new charges on the budget of the Empire in excess of a supplementary sum equal in amount to the interests—that is to say, 18,000,000 taels. For the amortization we use the credit balance of the revenues actually devoted to the old loans, and which will begin from the year 1906, and will increase after that in 1916 and in 1932. China supplying annually 18,000,000 taels more than what she is paying at the present for the interest on her old loans, this sum would be devoted, until 1905, to the payment of interest exclusively. In 1906 a balance becomes available every year of the revenues actually controlled by the customs and terms of the amortization to begin to operate. This balance increases appreciably from the years 1916 and 1932, and at the same time the amount of interests decrease through the gradual extinction of the capital. Consequently the amortization can be carried out more and more rapidly and be

determined in forty-five years. During that period the burdens of China remain approximately the same, and only exceed by 18,000,000 taels as a maximum the annuities paid at the present day.

His Excellency Li Hung-chang hands in a table of amortization drawn up according to the system which he has explained, and observes that the Government being in a difficult financial situation, proposes that the powers shall take into account its poverty.

Mr. von Mumm remarks that this plan is different from that which was adopted for the old loans, and expresses the opinion that it would be preferable to make no innovations. On the demand of His Excellency Li Hung-chang he promises to send him a table of amortization drawn up in accordance with the systems which he has mentioned. He insists on the fact that this communication has no official character, and is only given as a simple information. The committee has not the power to propose or accept anything.

Mr. von Mumm adds that the powers have taken into consideration the financial embarrassment of the Chinese Government, since they do not insist on a higher rate of interest than 4 per cent. This is a rate much inferior to the one which China expected, or which she would have had to pay to the bankers if she had been obliged to make a loan directly.

His Excellency Li Hung-chang: Mr. Jamieson, in conversations which he has had with the Viceroys Chang Chih-tung and Liu Kun-yi, had promised them that this rate would not exceed 3½ per cent. Sir Ernest Satow declared that this is an invention of the viceroys. Mr. Jamieson promised nothing. Chang Chih-tung made an inquiry of him.

His Excellency Li Hung-chang declares that the Chinese Government accepts with pleasure to pay 4 per cent, asking only that the annuities shall be proportionate to its resources. He has confidence in the representatives of the powers to help him to get out of his troubles.

Sir Ernest Satow: The losses and expenses demanded by the Governments have been calculated in gold, according to the currency of each Government, but for the convenience of the Chinese plenipotentiaries the sums have been transferred into taels. It is self-evident, nevertheless, that later on when the Governments will officially present to China the amount of the claims the latter will be calculated in gold and that the interests will be in gold and not in taels.

His Excellency Li Hung-chang makes no objections. The present loans are for the most part calculated in gold. The Maritime Customs will be intrusted by China with the payment of the annuities to the powers, the latter dividing them up among themselves.

Mr. von Mumm: The Chinese plenipotentiaries propose to us to organize a committee of bankers charged with receiving the sums and dividing them up.

Sir Ernest Satow: The Maritime Customs would pay each month to the committee of bankers the fixed sum, and this latter would divide it up among those entitled to it.

His Excellency Li Hung-chang: The Maritime Customs will be intrusted with demanding the amount of the payments from the ministry of finance.

Sir Ernest Satow: Yes; and it would pay them into the committee of financial representatives of the powers.

In reply to a question, Where would China take the 20,000,000 taels that she proposes to pay annually, according to the plan of amortization submitted by the Chinese plenipotentiaries, His Excellency declares that besides the 15,000,000 taels which China has already offered she could well dispose of 4,000,000 taels, the product of economies to be realized on the tribute rice, in substituting the payment of an allowance in money for a distribution of rice, and of 3,000,000 taels more on the receipts of the chief likins; in all, 22,000,000 taels.

Mr. Komura having asked if in the case where the powers would accept an increase of the import duties to 10 per cent China would agree to abolish likin taxes on importations, His Excellency Li Hung-chang replied that his Government could do away with a part of the likins.

The meeting came to an end at half past 11.

Mr. Rockhill to Mr. Hay.

No. 106.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 4, 1901.

SIR: I have the honor to transmit herewith, for convenience of reference, copies of the full correspondence exchanged with the Chinese

plenipotentiaries in connection with the reform of the Court ceremonial relating to audiences of foreign representatives with His Majesty the Emperor.

It seems highly probable that this question will not be finally settled until the return of the Emperor to Peking and an audience is offered the foreign representatives. Li Hung-chang has repeatedly assured me that it can then be promptly and satisfactorily arranged.

I am, etc.,

W. W. ROCKHILL.

[Inclosure 1.—Translation.]

M. de Cologan to the Chinese plenipotentiaries.

PEKING, *April 18, 1901.*

HIGHNESS, EXCELLENCY: The representatives of the powers have taken, as regards the modifications to be introduced in the Court ceremonial, the following resolutions, of which they ask the execution, in conformity with article 12 of the Joint Note:

Solemn audiences given by the Emperor to the diplomatic corps shall take place in the T'ai-ho Tien; those which shall be given to one of the representatives of the powers shall take place in the Chien-ching Kung.

When the diplomatic agent shall present his letters of credence, or a communication from the Chief of the State by whom he is credited, the Emperor shall send an Imperial sedan chair, which shall take him at his residence and conduct him with his suite to the palace, where he shall be received. He shall be reconducted with the same ceremony.

In going to these audiences the diplomatic agent shall pass through the central doors (or gates) until he has handed in his letters of credence or communication. In returning he shall conform to the usages already established.

The Emperor shall receive directly into his hands the letters or communications which the diplomatic agents shall have to give him.

In going to solemn audiences the representatives of the powers shall be carried in their chairs before the hall in which they shall be received by the Emperor. They shall take their chairs again at the place at which they shall have left them.

The Emperor shall assist in person at the banquets which he may offer to the diplomatic corps, as was done yearly before the events of last year, and these banquets shall take place in the Chien-ching Kung.

In a general way my colleagues declare that the Court ceremony concerning their receptions shall comply with the usages established between independent and equal nations, and they ask that the details entering into the settlement of this question, of which they confine themselves in indicating here the more general provisions, shall be incorporated in a protocol drawn up between them and the plenipotentiaries of the Imperial Government.

I beg your highness and your excellency to be pleased to ask the Emperor to order the measures which the execution of these resolutions necessitate.

B. J. DE COLOGAN.

[Inclosure 2.—Translation.]

The Chinese plenipotentiaries to M. de Cologan.

PEKING, *April 29, 1901.*

YOUR EXCELLENCY: On the 10th of April we had the honor to receive a communication from your excellency in which you submitted the conclusion arrived at by the foreign representatives in regard to the ceremonial to be observed at audiences of His Majesty the Emperor.

Though the ceremonial is in accordance with the form prevailing in European countries and the United States, still there are certain points which we find it difficult to comply with. They are four in number, which we would submit for the consideration of the foreign representatives:

1. As to general audiences being held in the T'ai-ho Tien, we would point out that this throne hall is used by the Emperor, who ascends the Throne on the

occasion of great celebrations and when his majesty receives New Year's congratulations. When the Emperor ascends the throne, the insignia carried before the Emperor, the Emperor's traveling equipage or escort, the whip which is cracked, and the band of music, must be arranged in due order. The princes, dukes, and civil and military officers are assigned places in the courtyard where the stones are marking their rank. The rules are very strict and not the least disorder will be allowed.

The Emperor must appear in full court dress, and the forms of etiquette are multifarious. It is therefore very inconvenient to hold audiences granted to foreign representatives there. If a change is made and audiences held in another hall this would seem to be more suitable.

2. In the matter of the foreign representative presenting his letters of credence, or a letter from the head of his State, on which occasion an Imperial sedan chair should be sent for them, we would state that it is not convenient to send the chair the Emperor rides in. The Imperial household naturally should prepare a sedan chair, such as is used by the high officials of the first rank, to be sent for the minister; this would be in accordance with the rules of state. There is practically no difference in the above system to that prevailing in European countries.

3. As to the question that the foreign representatives should be taken to the steps of the audience hall and should be taken back therefrom, we would observe that heretofore princes, dukes, and ministers of state, on going to the forbidden city, alight from their chairs outside of the Tung Hua gate and the Hei Hua gate, as the case may be. An exception, however, has been made by special decree in the case of Prince Kung, the uncle of the Emperor, and Prince Chün, the father of the Emperor, who are permitted to take their chairs to the Ching Yun gate on the east side and to the Lung Tsung gate on the west side. In European countries the foreign representatives take carriages, but they are not allowed to go to the front of the steps of the audience hall. It appears that there is no distinction made in this rule. The question should receive further consideration and changes made.

4. As to the question that if banquets are given, as have been done in previous years, these should take place in the Chien-ching Kung and the Emperor assist in person, we may observe that the ceremonial at banquets given by sovereigns of foreign countries to diplomatic representatives is not the same. That banquets should be given in the Chien-ching Kung and the Emperor assist in person is still a trivial matter, and changes can be made by way of accommodation or compromise; but as to banquets being given, this is a matter optional (with the Emperor), and one that can await further discussion.

The above we present as being our views for your excellency's further consideration.

In a word, no matter what form of courtesy China shows to the foreign representatives, on no account will it be other than on a footing of equality between the two countries concerned without loss of prestige.

In sending this communication to your excellency, as dean of the diplomatic corps, we beg that you will confer with your colleagues and favor us with a reply.

[Inclosure 3.—Translation.]

M. de Cologan to the Chinese plenipotentiaries.

PEKING, *May 11, 1901.*

HIGHNESS, EXCELLENCY: On the 29th of April I had the honor to receive your communication in reply to the one which I had sent you on the 18th to communicate to you the views of my colleagues concerning the modifications of the Court ceremonial concerning the reception of foreign representatives by His Majesty the Emperor.

My colleagues request me to inform you, in reply to your letter, that the hall in the Imperial Palace called Chien-ching Kung, which they had indicated as the most appropriate for the audiences of separate foreign representatives of His Majesty, being also suitable for audiences given to the whole diplomatic corps, they modify the demand transmitted in my letter of the 18th of April in that sense. The Chien-ching Kung shall be the hall in which all solemn audiences given by His Majesty the Emperor to the representatives of the powers, either individually or collectively, shall take place.

As to the Imperial sedan chair which is to be sent to the residence of a foreign representative for the presentation of his letters of credence or a communication

from the Chief of the State by which he is accredited, my colleagues understand by that that it shall be a sedan chair of the Imperial color, similar to those used by His Majesty.

The explanations which you have given concerning the spot where the foreign ministers should leave and get back into their sedan chairs when they shall be admitted to Imperial audiences have not appeared satisfactory to my colleagues, who insist in this connection, and under reserve of the modification accepted by them in the selection of the hall, on the right which they have demanded. In consequence they will alight and get back into their sedan chairs at the foot of the steps leading up to the hall.

As regards the banquets which His Majesty the Emperor may give to the representatives of the powers, my colleagues request me to inform you that the only bearing of their demand is to prevent that henceforth the Emperor should invite them in another building than one of those in the Imperial palace and that he should be represented by someone else at the banquets offered by him and in his name. But it never entered into their minds to make it obligatory for the Emperor to address to the diplomatic agents invitations to dinner.

I avail myself of this opportunity, etc.,

B. J. DE COLOGAN.

[Inclosure 4.—Translation.]

The Chinese Plenipotentiaries to M. de Cologan.

PEKING, *May 12, 1901.*

YOUR EXCELLENCY: On the 11th of May, we had the honor to receive your excellency's communication in reply, having reference to the audience ceremonial.

We have given this matter our careful consideration, and we find that it is absolutely necessary for us to again present our views in support of the position we take.

As to the color of the chair, we may state that in China the Emperor is the only personage using the sedan chair covered with yellow. The Princes, Dukes, and Ministers of State all use chairs covered with green cloth.

On a foreign representative going to an audience, a large sedan chair covered with green cloth should be provided and sent to take him. This would fully show honor and dignity to his rank. To ride in a yellow chair would appear as though the personage in it was the Emperor himself. On hearing this the people would naturally become astonished, and it would also be inconvenient for us to present your excellency's communication in a memorial to the Throne. In a previous communication we explained our views re the question of the place where the foreign representatives should alight and take their chairs.

Under the system hitherto prevailing in China, Princes, Dukes, and Ministers of State alight from their chairs outside of the Tung Hua gate; but as to the chairs the Emperor grants them for use in the Forbidden City, these are in the shape of small chairs which they can ride in to the Ching Yun gate.

In the communication (under acknowledgment) it states that on an audience being given to a single representative or to the diplomatic corps, these should be given in the Chien-ching Kung.

We would observe that to enter the audience hall in question it is necessary to take the road by way of the Ching Yun gate. Then conformably to the rule existing in regard to the chairs granted to Princes, Dukes, and Ministers of State, going into the Forbidden City, these are taken after entering the Tung Hua gate. The chairs are called *i chiao*. This would be more in accordance with what is befitting. The foreign representatives alighting from and taking their chairs in front of the steps of the Chien-ching Kung would not be suitable, and it would be a matter difficult to agree to.

We have the honor, therefore, to request your excellency to be good enough to satisfactorily arrange this matter with your colleagues and favor us with a reply.

[Inclosure 5.—Translation.]

M. Cologan to the Chinese Plenipotentiaries.

PEKING, *May 28, 1901.*

HIGHNESS AND EXCELLENCY: I received the letter which you were pleased to send me under date the 12th of May, concerning the court ceremony, and I did not fail to communicate it to my colleagues.

The representatives of the foreign powers, after having considered it, they requested me to inform your highness and your excellency that they can only maintain the demands expressed in my note of the 10th of May.

I avail myself, etc.,

B. J. DE COLOGAN.

Mr. Rockhill to Mr. Hay.

No. 107.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 5, 1901.

SIR: In my dispatch No. 54, of April 2 last, I informed you that the representatives of the powers, with the exception of the minister of Russia, had transmitted to the Chinese plenipotentiaries a list of provincial officials and others guilty of crimes committed against foreigners during the troubles of last year, for whom they demanded certain specific punishments.

The penalties to be inflicted on the officials, as originally decided upon by the foreign representatives, included 10 capital sentences and 86 others of various degrees of severity.

Under the influence of the President's instructions to me to oppose the shedding of any more blood and to urge moderation, the capital demands were reduced to 4, and various reductions were agreed to in the other penalties.

Since this list was communicated to the Chinese plenipotentiaries (see inclosure 1 and list annexed) some of the foreign ministers have received information from their nationals in the interior exculpating certain of the persons whose names were borne on the list, and the Chinese Government has also adduced proof of the innocence of others, or has shown that they were not as guilty as at first supposed. These facts are all set forth in the inclosed copies of correspondence and in the notes I have made on the list accompanying the communication of the ministers to the Chinese plenipotentiaries of April 1.

The Imperial decree of April 29 (inclosure No. 8) orders the decapitation of 3 of the most guilty officials and an investigation of the case of a fourth, the death sentence to be promptly carried out if the charges made are proven to be true. The same decree awards punishment to 48 other persons.

In the case of Hu Tê-hsiu (No. 25), information having been furnished me within the last few days by Mr. Atwood, an American missionary at Tai-ku Hsien, that this official was in all probablility innocent of the crimes charged to him, I have requested the Chinese plenipotentiaries to ask that the punishment awarded him be suspended and a careful inquiry made to determine on whom must rest the responsibility for the failure to protect our countrymen residing in this place, which resulted in their murder on July 31 of last year.

In the case of Hu Ching-kuei (No. 94), ex-provincial judge of the province of Shantung, I asked that an inquest be first made by the Chinese authorities, as I was assured by the governor of the province, Yuan Shih-k'ai, an old personal friend of mine and an official of great merit, that the charges against the accused lacked proof. This has also been agreed to by the foreign representatives.

It seems probable that some of the cases now under investigation by the Chinese will result in convictions, but I fancy that a number of them will ultimately be dropped, with the exception, perhaps, of the names mentioned in the letter of the representatives to the Chinese plenipotentiaries of May 17 (inclosure No. 11).

I have not deemed it necessary to send you the second list of suspected officials mentioned in the plenipotentiaries' note of April 1. The Chinese Government is inquiring into these cases, and it is possible that some punishments may ensue, but they will not be in any case, I imagine, of great severity.

I have the honor, etc., W. W. ROCKHILL.

[Inclosure 1.]

Foreign Plenipotentiaries to Chinese Plenipotentiaries.

No. 107.] PEKING, *April 1, 1901.*

HIGHNESS, EXCELLENCY: You have been informed on several occasions, and particularly in the meeting which you had on the 5th of February with the representatives of the powers, that the names of the officials guilty of crimes committed in the provinces would be given you, with the punishments which it seemed proper should be inflicted on these functionaries, in conformity with article II of the Joint Note.

The undersigned plenipotentiaries have in consequence to communicate to you:

First. A list of the officials whose guiltiness they consider established, and for whom they indicate the punishments to be inflicted.

Second. A list of officials who have been reported to have been guilty, but concerning whom, in the absence of sufficient information, they ask that an inquest be made by the Chinese Government.[1]

The undersigned plenipotentiaries expect that you will be pleased to request, without delay, from the Throne, so as to finally settle this question, decrees in conformity with the demand which they transmit to you. They hold that without waiting for the results of the inquest to be held by the Chinese Government, as rapidly as possible it would be proper to have posted throughout the Empire, and in compliance with Article X of the joint note, edicts mentioning the punishments which they announced. This will permit of satisfaction being given more promptly to the requests made by your highness and your excellency, the examination of which was deferred until articles II and X of the Joint Note had been carried out.

(Signed by all the representatives of the powers with the exception of the minister of Russia.)

[Translation.]

Punishments demanded for principal culprits.

SHAN-SI.

1. Pai Ch'ang, district magistrate of Yang-chü Hsien, agent of Yü Hsien. Caused the treacherous massacre in the early part of July at T'ai-yuan Fu of over 40 foreign men, women, and children. Decapitation.
2. Chéng Wen-ch'in, taotai of Kuei-hua Ch'eng. Guilty of the murder of Monsignor Hamer, of Captain Watts-Jones, of 4 Catholic missionaries, and of 14 Swedes. Decapitation.
3. Hsu Seng (or Chi)-ju, prefect of Fen-chou Fu. Under pretext of furnishing a safe conduct to the missionaries residing in that city, he gave orders which led on the 16th April to their massacre by the soldiery, in the district of Wen shui, of Mr. and Mrs. Atwater and their two daughters, of Mr. and Mrs. Price and child, of Mr. and Mrs. Lundgren and child. Death sentence.
4. Hsü Kuei-fen, department magistrate of Hsin Chou. Gave the order to massacre Mr. and Mrs. Dixon, Mr. and Mrs. Underwood, Mr. and Mrs. McCulloch, Miss Renant, Mr. Ennals, and other missionaries. They were killed on the 9th of August at Hsin Chou. Death sentence.
5. Kuang Ting-kuang, district magistrate of Ho-chin Hsien. On the 16th July the soldiers of his yamen pursued and killed several missionaries at Ch'ing-chia-wan. These missionaries were Mr. and Mrs. McConnell and child, Miss King, Miss Barton, Mr. and Mrs. Young. Degradation; exile for life.

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[1] List omitted.

6. Ma Hsiu-kuo, military officer at T'ai-yuan Fu. Took personal part in the massacre of the missionaries. Degradation; exclusion from all new honors.
7. Chih Fêng-chi, commander of the guard at T'ai-yuan Fu. Put Father Elia in chains and caused his martyr. Degradation; exile for life.
8. ——— ———, district magistrate of Hiao-i Hsien. Guilty of the murder of Miss Whitchurch and of Miss Searrell, who were beaten by his order till death resulted (30th June). Degradation; exile.
9. ——— ———, district magistrate of Ta-ning Hsien. Refused to protect Misses E. and M. Nathan and Miss Haysman, who immediately after, with his consent, were put to death at Ta-ning. Degradation; exile for life.
10. ——— ———, district magistrate of Tse-chou Fu. Refused to protect when passing through that city several English missionaries coming from Ping-yao and from Lu-ch'eng, on their way to Hu-pei. Degradation; exclusion from all new honors.
11. Pi Ch'êng, district magistrate of Lu-ch'eng Hsien. Would neither help nor protect the missionaries. Is responsible for the suffering they endured in their flight. Degradation; exclusion from all new honors.
12. Yü Tai-lin, district magistrate of Kao-p'ing Hsien. Cruelly treated on their passage the missionaries coming from P'ing-yao and Lu-ch'eng. Degradation.
13. En Shun, district magistrate of Chang-tso Hsien. Refused to protect the missionaries coming from P'ing-yao and Lu-ch'eng when they passed. Degradation.
14. ——— ———, department magistrate of Hsi-chou. Called the Boxers into the city; is responsible, in consequence, for the death of Mr. and Mrs. Peat, and of the other missionaries who, driven from Hsi-chou, were massacred at Chü-wo Hsien. Degradation and exile.
15. ——— ———, district magistrate of Chü-wo Hsien. Is guilty of not having protected the missionaries, and of having thus caused the massacre, with awful suffering, of Mr. and Mrs. Kay and child. Degradation; exile for life.
16. ——— ———, district magistrate of Yüeh-yang Hsien. Refused to protect two English missionaries, Messrs. Barrett and Woodroffe, who were massacred by the Boxers. Degradation; exclusion from all new honors.
17. Ch'in Chien-hu, district magistrate of Shan-yang Hsien. Treated with the greatest cruelty the English missionaries; he arrested them, put them in irons, and sent them, without food, to T'ai-yuan Fu, where they were massacred. Degradation; exile for life.
18. Mao Shih-fu, assistant district magistrate of Ho-lin-k'o-erh, and
19. Fan En-ch'ing, assistant district magistrate of To-k'o-t'o Cheng, are accused of having offered rewards to whoever should kill or deliver an European or a Chinese convert. Over 1,500 Christians were killed in their districts under conditions of unexampled cruelty. Degradation; death sentence; exile; imprisonment for life.
20. Li Ming-ho, keeper of the board of punishments at Ning-yuan. Accused of having delivered Monsigneur Hamer to the soldiers. Death sentence.
21. Yung Te, Tartar general at Sin-yuan cheng, and
22. K'uei Ch'eng,[1] military lieutenant-governor at Kuei-hua Ch'eng, are probably the principal instigators of all the atrocities committed in the Tai-hai. Their soldiers took part in the massacre of Fathers Heinmann, Hallet, Dobbe, and Zylmans. Degradation; imprisonment for life.
23. Kuo Chih-shu, district magistrate of Kuei-hua Ch'eng. On the 20th of August, 1900, at the head of 300 soldiers, he attacked the mission of T'ieh-mi-tan-kou; killed and burned ten foreign missionaries. Four other missionaries, who had fled a mile away, were pursued and put to death. One Catholic priest and 13 Swedes, men, women, and children, were put to death. Death sentence, with commutation to life exile.
24. ——— ———, district magistrate of Yü-tzu Hsien. Accomplice in the massacre of foreigners. Degradation; exclusion from all new honors.
25. Hu Te-hsiu,[2] district magistrate of T'ai-ku Hsien. All the foreigners who happened to be in this town were massacred on the 31st July, including Mr. and Mrs. Clapp, Mr. Williams, Mr. Davis, Misses Bird and Partridge. Degradation; exile for life.

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[1] Degradation for life agreed upon. Letter of F. R. of April 22.

[2] Dr. Atwood, of the T'ai-ku mission, having informed me that this official seemed to be wrongly charged, I have asked the Chinese plenipotentiaries to make inquest and punish only responsible person. W. W. R.

26. Yang Chün, brigadier-general. Murder of Mr. and Mrs. McKee, Mrs. Janson, Miss Aspden, and Miss Smith. Degradation.
27. ——— ———, district magistrate of Tai-yuan Hsien. Caused several Christians to be put to death. Degradation.
28. ——— ———, district magistrate of Ning-hsiang Hsien, and
29. Kung ———, district magistrate of Lin Hsien, incited the Boxer chiefs to massacre the missionaries and Christians. Degradation.

MONGOLIA.

30. The Prince of Alashan. Expelled all the missionaries in the portion of the vicariat depending on Kan-su. Censure.
31. The Prince of Djungar. Instigator of persecutions against Christians. Censure.
32. The Prince of Talat. Caused over 800 Christians to be massacred. Degradation; imprisonment for life.
33. Chang Chin-sheng, called Chang ssu;
34. Yang pa-tsung;
35. Ho Shao-kuan, military officers at Ning Niao-liang;
36. Hsü Ta-t'ien;
37. Liu ———, military officer at Yu-ling, were at the head of the Boxers who for forty-nine days besieged the mission of Hsiao-kiao pan. Father Gisbert Jaspers was killed. Degradation.

EASTERN MONGOLIA.

38. Wen Hsing, district magistrate of Luan-p'ing Hsien. Caused Father Segers to be massacred. This missionary having succeeded in hiding in the mountains after the pillage of the residency of Lao-hu kou, was taken on the 16th July, beaten, and imprisoned at Jehol. Led before the tribunal of Luan-p'ing Hsien, in the night of the 21st to the 22d July, he stayed there three days. On the 24th of the same month, after a brief examination, he was led by order of the district magistrate to the bank of the river 500 meters from the town to where a grave had been dug, there he was buried alive by six men from the tribunal. Six days after his body was dug up and thrown into the river. Christians of Tien-chiao kou having found the body of their pastor, buried it near their chapel. The pagans of the village having informed the official of Luan-p'ing, he sent men who threw the body back into the river. Decapitation.

CHIH-LI.

39. Yü Lu, governor-general of Chihli. One of the officials the most compromised in the late troubles. Organized the attack of the Boxers and of the regular troops on the foreigners at Tientsin. Transmitted the edict ordering the massacre of foreigners throughout the Empire. Posthumous degradation.
40. Tso Lo-ling, of the gentry of the village of Wang-hsiao. Sent by the district magistrate of Wu-i Hsien to parley with the Boxers, who were coming to the number of about 200 to attack Wu-i, he falsely stated that all had been arranged, and that there was no more danger. The gates of the town were opened, the Boxers entered, and massacred Fathers Isoré Rémé and Modesta Andlauer. Term of imprisonment.
41. Chang Ping-chih, former district magistrate of Wu-i. Openly protected from the beginning and patronized the Boxers. He made of his district a center from which went the leaders who attacked and ruined the districts of Shen-chou and Ho-chien Fu. Death sentence.
42. Chen Tse lin, provincial judge of Kiangsi. Passing through Chiang-chou, he attacked, at the instigation of the prefect, the Christian community of Chu-chia ho, where Fathers Ignace Mangin and Paul Deure were massacred. Degradation; exclusion from all new honors.
43. Hung Shou p'eng, prefect of Ching-chou, requested Provincial Judge Chen to attack the mission of Chu-chia ho. Degradation, etc.
44. Wang Lien-san, general at T'ai-ming Fu.
45. Miao Yu-ko, district magistrate at T'ai-ming Fu.
46. Wang Ching-yang, district magistrate at Yuan-ch'eng Hsien, expelled the missionaries, despoiled them of everything, and exposed them to be massacred. Degradation, etc.

47. Kung Ying, district magistrate of Nan-lo Hsien, drove the missionaries out of his yamen and delivered them to the mob, exposing them to be massacred. Degradation, etc.
48. ——— ———, district magistrate of Ching-yuan Hsien, refused to help the Green family. Degradation, etc.
NOTE.—This official is believed to be at present in the Peking (Shun-tien Fu) prefecture.
49. Li Chao-chen, district magistrate of Wang-tu Hsien, guilty of bad treatment of the Green family. Degradation, etc.
50. Ch'ang Tsui, chief of the grainery department at Tung-chou, was head of the Boxers in that city, where he took a very active part in organizing them into a corps. Degradation; not to be given a new office or receive new honors.

MANCHURIA.

51. Chin Ch'ang, military lieutenant-governor of Mukden, gave the order himself to the soldiers to join the Boxers to massacre Mgr. Guillou, Father Emonet, Sister Ste. Croix Grandury, Sister M. A. Roechlin, two Chinese priests, and a great number of Christians. Death sentence.
52. Ch'en ———, prefect of Liao-yang, caused to be beheaded the seminarist Fabien Chao and numerous Christians. Degradation; imprisonment for life.
53. Ch'ang Lao-te, head of the train bands of Ya-tzŭ ch'ang, took an active part in the murder of Fathers Viaud, Agnius, and Bayart on July 11. Degradation; exile for life.
54. ——— ———, military lieutenant-governor of the province of Hei-lung Chiang, responsible for the massacre of Fathers Leroy, Geojon, and Souvignet. Degradation; exile for life.
55. Wo-ko-chin-tai, military lieutenant-governor of Hu-lan Ch'eng, did not protect Father Souvignet, and allowed his head to be exhibited at the gate of a temple. Degradation.
56. Ao ———, a military officer, on arriving at Pa-yen su-su, wanted to put to death Fathers Hoüner and Roubin, who were saved by the officials of the town. To satisfy his hatred of foreigners, Ao went to the Christian community of Hsiao shih-t'ou ho, caused the body of Father Riffard, deceased thirteen years ago, to be dug up, set fire to the church and to the residency, and massacred the Christians. Death sentence; exile for life.

HU-NAN.

57. Yu Lien-san, governor of Hu-nan, compromised in the murder of Mgr. Fantosati and of Father Gambaro. Degradation; exclusion from all new honors.[1]
58. Lung Wen, taotai of Heng Chou, sent his emissaries to stir up the population against Mgr. Fantosati and Father Gambaro, who had arrived in a boat and who had written to him on arriving at the gates of the city asking him to protect them. These two missionaries had their eyes plucked out and were killed in the most cruel fashion. Death sentence.
59. Yu Ch'ing, prefect of Heng-chou Fu, and
60. Cheng Ping, district magistrate of Ching-chuan Hsien, incurred great responsibility for the assassination of Mgr. Fantosati and Father Gambaro. They refused to protect them, and they must be held as accomplices of the taotai. Yu Ch'ing published incendiary proclamations which led to the destruction of Protestant chapels. Degradation; exclusion from all new honors.

CHE-KIANG.

61. Pao Tsu-ling, taotai of Ch'ü-chou, known for his hatred of foreigners, encouraged the train bands and the rioters to massacre the foreigners at Ch'ü-chou Fu (21st, 22d, and 23d July). It would have been easy for him to have protected them, but he allowed, before the gate of his yamen, Mr. and Mrs. Thompson and their two children, Miss Desmond, Miss Sherwood, and Miss Manchester to be insulted and murdered. When informing the governor of these murders he praised the train bands for the patriotic spirit they had shown. Death sentence.
62. Chou Chih-tē, commander of the town guard of Ch'ü-chou, took an active part in the massacre of foreigners. Not only did he plan the attack on the missionaries, but he led in person the rioters. Decapitation.

[1] Reduction agreed to. Letter of foreign representatives, April 22.

63. Liu Shu-t'ang, former governor of Che-kiang, published a secret edict ordering the murder of foreigners. He is likewise responsible for the massacre at Ch'ü-chou. Although he later on withdrew this edict, the massacres began at once. He remained at his post as governor for four months thereafter, and he took no action against the murderers. He should have suspended from duty the principal officials of the city. Degradation; exile for life.[1]
64. Yung Ch'üan, provincial judge of Che-kiang, at present treasurer, is responsible for the publication of the secret edict, one of the causes of the Ch'ü-chou massacre. He is the head of the antiforeign movement at Hang-chou; never tried to conceal his hatred of foreigners. Degradation; exile for life.
65. Yü Chun-ming, former brigadier-general at Ch'ü-chou, was present with the taotai, in the yamen of the latter, at the massacre of foreigners which took place on the 21st July at the gate of the yamen. He had 5,000 soldiers under his command, and the fact of his not having tried to put down the uprising, which ended in a massacre, proves that these crimes were committed with his consent. Degradation; exile for life.
66. Hung Ssu-liang, former prefect of Ch'ü-chou, refused to give aid and protection to the missionaries who were massacred, and was present with the taotai and the general of brigade at the murder of the foreigners at the gate of the yamen. Degradation.
67. Cheng Lien-sheng,
68. Cheng Yung-hsi, and
69. Lo Lao-ssŭ, son of Admiral Lo, are the most guilty among the gentry who encouraged the massacres. Degradation.

SZE-CHUAN.

70. Li Ch'ang-pei, prefect of K'iung-chou, allowed the missions to be pillaged. Several Christians were killed or wounded. Degradation.[2]
71. Wang Chi-yin, taotai of Chien-chang,
72. Lu Ting-chih, district magistrate of Ming-shan Hsien,
73. Waug Chih-t'ung, and
74. Li Nien-tzŭ, obstinately refused to interfere to protect the missionaries and to give justice to the Christians. Degradation.[3]

TIBET.

75. Ching Shan, Chinese resident in Tibet, is accused, while going to his post, of having asked the local authorities to get ready to expel foreigners and exterminate Christians. Troubles broke out in Li-t'ang. (Note.—A letter from Chung-king announces the death of this official.) Posthumous degradation.

KUEI-CHOU.

76. Lo Fên-lin, military official, dismissed for dishonesty. A native of Ssŭ-nan Fu. He is the chief author of the attacks against the Christians of that locality and of Lung-chuan, in which twenty persons were massacred. On hearing of the events in Chihli this individual raised a band of adventurers, who plundered all the Christian communities of the region and killed the inhabitants. Term of imprisonment.

HO-NAN.

77. Yin ——, brigade general at Nan-yang Fu. Noted for his hostility to foreigners. The massacres of natives in Ho-nan should be attributed to him. He caused the Rev. Father Argento to be maltreated, and he published a proclamation which brought about the destruction of the buildings of the mission of Sha-chi-tien. Degradation.
78. Li Jo-hsien, head man of the village of Hsin-tien, excited the populace against Father Argento, who was maltreated. This missionary was able to escape the massacre by hiding and fleeing. Degradation.

[1] Degradation, with confiscation of property and police surveillance in his home, agreed to. Letter of foreign representatives to Chinese plenipotentiaries of April 4.
[2] Reduction of punishment agreed to by letter of foreign representatives of April 22.
[3] In the case of No. 71 a lesser punishment was agreed to by letter of foreign representatives of April 22.

79. Yen Chih, former provincial judge of Ho-nan, recently appointed in Shansi, published the orders against foreigners. Degradation.[1]
80. ——— ———, district magistrate of Ho-nei Hsien, acted hostilely to the English missionaries when passing on their way to Ho-pei. Degradation.
81. ——— ———, district magistrate of Jung-tse Hsien, refused the magistrate of Wu-chih to the passing missionaries, occasioning them thereby great suffering. Degradation.
82. ——— ———, department magistrate of Cheng-chou, treated with extreme brutality the missionaries coming from Ping-yao and Lu-ch'eng. Degradation, etc.
83. Lin ———, district magistrate of Hsi-hua Hsien, refused repeatedly to protect the missionaries, who were obliged to leave the town when their homes were burnt. Degradation, etc.
84. Wang ———, district magistrate of Chou-chia ho, department of Chên-chou Fu, refused to protect the missionaries; riots occurred on the 10th of July, and they were obliged to leave the town after having been nearly massacred. Degradation, etc.
85. Ts'en Ch'uan-jung, taotai of Ho-pei, published defamatory proclamations and excited the officials and the people against the Christians and the missionaries. Degradation, etc.[2]
86. Lu Ko-ying (Lu Yueh-ching?), district magistrate of Hua Hsien,
87. Ch'ê Chun, district magistrate of Shê Hsien, and
88. Shih Keng, district magistrate of An-yang Hsien, guilty of the pillage and burning of the churches and goods of the missions and of the Christians. Degradation, etc.
89. Tsêng ———, prefect of Wei-hui Fu, responsible for the killing of Christians. Degradation, etc.
90. Ch'ên Shih-wei, district magistrate of Wu-an Hsien, would not remove the body of a missionary lately deceased and dug up by the populace. The body of this missionary was thrown on the road after the head had been cut off and the limbs severed, and was devoured by dogs. Degradation, etc.

KIANG-SI.

91. Sung Shan, governor of Kiang-si, in obedience to the commands emanating from the imperial court, he himself stirred up troubles. The delegates sent by him, under pretext of recruiting in the towns, got together bands which they excited to burn and to pillage the Catholic establishments. Degradation, etc.[3]
92. Teng Hsuan-yu, district magistrate of Nan-feng Hsien, refused to receive an act of accusation from the Christians, and encouraged the people to massacre them. Degradation, etc.
93. Wang Pao-jen (Chiang Pai-jen), district magistrate of Nan-ch'eng Hsien, caused the buildings of the mission to be destroyed. Degradation, etc.

SHAN-TUNG.

94. Hu Ching-kuei, former provincial judge of Shantung, at present provincial judge of Ho-nan, showed great activity in the antiforeign crusade; used all his influence to prevent the punishment of Boxers and those guilty of the murder of missionaries; encouraged the officials to acts of hostility. Degradation; not to receive new functions or new honors.[4]
95. Chin Ying-kuei, district magistrate of En Hsien, not only protected Boxers, but allowed several Christians to be killed in his jurisdiction, publicly announcing his hatred of foreigners. Degradation, etc.
96. T'u Nai-hsun, district magistrate of Hsia-ching Hsien, protected the Boxers and refused to do anything to protect the property of the American missionaries at Ho-chia-t'un and the Christians, whom he allowed to be freely persecuted. Degradation, etc.

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[1] Inquest agreed to by letter of foreign representatives of April 22.

[2] By letter of April 27 the foreign representatives informed the Chinese plenipotentiaries that they agreed to simple degradation for these three (85, 86, and 87). See letter of Chinese plenipotentiary to foreign representatives of April 21.

[3] Charges dropped by letter of foreign representatives to Chinese plenipotentiaries of April 22.

[4] Inquest agreed to by letter of foreign representatives to Chinese plenipotentiaries of April 22.

[Inclosure 2—Translation.]

The Chinese plenipotentiaries to M. de Cologan.

PEKING, *April 3, 1901.*

YOUR EXCELLENCY: On the 31st of March (April 1) we received a communication from the foreign representatives, inclosing a list of officials in the provinces whom they requested should be punished. In the list appears the name of Liu Shu-tang, formerly governor of Chekiang, and the former provincial judge of the same province, Yung Ch'uan, whom the foreign representatives requested should be degraded and punished by perpetual banishment to the extreme borders on the frontier.

Although these officers have been guilty of transacting business not altogether in a satisfactory manner, still we can not entirely believe it is true that their purpose was, as it is said, to really massacre foreigners.

Governor Liu is now over 70 years of age, and he has generally taken action in good earnest in transacting public business, and certainly he is to be pitied.

Provincial Judge Yung had only been in office a short time, and there should also be some excuse made in his case.

We beg that your excellency will bring this matter to the notice of the foreign representatives, asking them to consider it, and agree to a more lenient form of punishment being meted out to these officers, and favor us with a reply.

(Card of Prince Ching and Li Hung-chang, with compliments.)

[Inclosure 3—Translation.]

The Foreign representatives to the Chinese plenipotentiaries.

PEKING, *April 4, 1901.*

HIGHNESS, EXCELLENCY: We have the honor to acknowledge receipt of your letter dated yesterday, in which you request us to grant a reduction in the punishment which we proposed for the ex-governor and the provincial judge of Chekiang, whose names figure in the list of guilty provincial officials.

In reply to this communication we deem it proper to note that Liu Shu-t'ang and Yung-ch'uan have been acknowledged guilty of complicity in the murder of missionaries committed at Chü Chou. The first accused, he who played the chief rôle in the assassination, was the Taotai Pao, who mercilessly closed his door to missionaries whose murder took place outside it.

But the first responsibility for the crime must, without doubt, be thrown on the governor of the province. The taotai acted in accordance with an imperial decree, which was published by Liu Shu-t'ang, with the active assistance of Yung Ch'uan.

In view of the fact that these officials caused the movement which resulted in the villainous murder of missionaries, they deserve the severest punishment, without the benefit of extenuating circumstances.

In view of the remoteness of the court, they might without danger, as did other high provincial officials animated by feelings of humanity, have treated the decree as an act of folly.

Under these conditions the penalty proposed can not be regarded as disproportionate to their crime. Nevertheless, taking into consideration the age of Liu Shu-tang, who is 70 years old, and the request which your highness and your excellency have presented for him, we consent, as a special act of grace, to the commutation of the original penalty into one removing definitely Liu Shu-tang from the public service with confiscation of his property, and that he be sent back to his country, where he shall be strictly placed under the supervision of the local authorities. In the case of Yung Ch'uan, extenuating circumstances can not be allowed, and the undersigned representatives of the powers insist that his sentence be carried out.

(Signed by all the foreign representatives except the minister of Russia.)

[Inclosure 4—Translation.]

The Chinese plenipotentiaries to the Foreign representatives.

PEKING, *April 4, 1901.*

YOUR EXCELLENCIES: On the 1st of April we had the honor to receive a communication from the foreign representatives, inclosing two lists—one giving the names of officials in the provinces who should be punished and the other giving

the names of officials in the provinces whose conduct should be subject to an investigation.

We duly submitted these lists in a telegraphic memorial to the Throne, requesting that an imperial decree be issued in regard thereto.

On the 16th of April we received a telegram from the Grand Council, stating that "The lists submitted regarding the punishments of the provincial officials had been presented to the throne, and that a verbal decree had been issued to effect that some of the persons whose names are proposed for punishment should be made the subject of further discussion. Article 10 of the Joint Note strictly defines that punishment shall be inflicted on officials hereafter for failure to protect (foreigners). But it is not convenient in cases occurring previous to the signing of the convention affecting missions in the provinces, where the local authorities did not give full and adequate protection, but where no lives were taken, and where they did not screen or protect the Boxers, that the officers should be forever prohibited from holding any office or honors.

"In a previous telegram the Prince of Talat is proposed (for punishment), but his case must still receive further inquiry and action taken accordingly. It is not convenient to imprison him.

"It is proposed to degrade Governor Liu Shu-t'ang, and send him to his native place. It is not convenient, however, to confiscate his property.

"As to the case of Yen Chih, transferred as provincial judge of Shansi, it is stated that he treated foreigners with contempt; general instructions were issued to various officials to investigate the matter, but no absolute proof of the charge has been found against him. Telegraphic instructions were also issued to various officials to investigate the charge, but the reports received are that nothing of the kind occurred.

"As to the provincial judge of Shantung, Hu Ching-kuei, the charges against him are mere empty words. In Shantung the authorities exercised every means to protect the missionaries and exterminate the Boxers. The judge was at the time at the capital, and he was quite unable alone to treat foreigners with contempt and screen the Boxers. Further, the said judge issued proclamations prohibiting the practice of the Boxer antics. This can be inquired into. It is requested, therefore, that these officials (the above two) may be acquitted.

"In the case of Kuei Cheng, deputy lieutenant-general, it may be observed that in regard to the missionary case at Kuei-hua Ch'eng the lieutenant-general had control of affairs, but the Kuei Sui taotai, Cheng Wen-chin, managed the case in question. Although Kuei Cheng was there, still he could not prevent (what happened), and his punishment should be reduced.

"As to the case of the taotai of Ho-pei, Ts'en Chuan-jung, at the time he issued a proclamation in which it was stated that those who desired to practice the Boxer antics must first make application to the local officials for permission to do so. The idea of issuing the proclamation was for the purpose of using it as a means of investigating and prohibiting the practice. It was issued at the time of a crisis and revolution, and the taotai could not but adopt a temporary arrangement to meet pressing circumstances. It was a measure of expediency. His case is not one where missionaries or native Christians were massacred, and it might be as well to reduce his punishment.

"In the missionary cases in Szechuan the taotai and prefect of Chien-chang did not exert themselves in giving due protection, but there were no lives of missionaries taken. It is right that the punishment that should be meted out to them should be lighter than that of the department and district officials (in the same province).

"As to the prefect of Chü Chou, Huang Ssu-liang, this officer did not assist in the murder of the missionaries. He was merely connected with the taotai's yamen. He should be treated leniently.

"In the matter of the other local officials of the provinces, they merely treated the missionaries harshly and did not exert themselves in protecting them on their journey. It is right, therefore, that the circumstances of each case should be clearly ascertained and light and heavy punishment be meted out accordingly. It is not convenient to punish them all by forever prohibiting them from holding any office or honors. We beg you to take up this matter and discuss it earnestly (with the foreign representatives), in the hope that these officers may be justly treated and protected.

"There are 50 officers whose punishment, according to the list, is very heavy. Of this number there are 9 whose names it is necessary to ascertain. We now speedily telegraph you in regard to this matter, and hope you will consider it and lose no time in sending a reply by wire, to the end that we may memorialize the Throne and ask for a decree.

"Of the 17 officials whose names should be ascertained, you should discuss with the foreign representatives the question of a lighter form of punishment being meted out to them.

"The viceroys and governors concerned have been ordered to investigate without delay the cases of the 23 officials (excepting Governors Yu and Sung) whose names appear on the list. On their presenting their reports the Throne will be asked to issue a decree punishing them according as their respective crimes deserve.

"As to the deputy lieutenant-generals of Mukden, Tsitsihar, and Hu Lan, and the military commandant of Pa-yen su-su, these should also have their punishments reduced."

From the above telegram we would observe that there are four matters to be considered with the foreign representatives, viz:

1. Are we first to request the Emperor to issue a decree punishing 41 officials, i. e., 50 officials originally suggested, less 9 whose names are to be ascertained, as proposed by the foreign representatives, their cases being comparatively severe as stated in the telegram?

2. Will the foreign representatives agree to consider the question of reducing the punishments of the 23 officials (not including Governors Yu and Sung) after the viceroys and governors have presented their reports?

3. Will the foreign representatives agree to the proposal in the telegram concerning officials whose offenses are comparatively light, and await until a statement can be made out by us, doing away, however, with the words "forever prohibited from holding any office or honor?"

4. Will the foreign representatives agree not to carry out the stipulations in article 10 in regard to the punishments of officials whose cases are to be investigated, as specified in the list, a decree to be issued in regard thereto; but after a report from the various high provincial authorities has been submitted to the Throne, then to take up a further discussion thereof?

The above four matters we received from the Grand Council in obedience to instructions from the Throne, and it is right that we should consider them with your excellencies.

In sending this communication for your excellencies' information, we beg that you will favor us with an early reply.

[Inclosure 5.—Translation.]

The Chinese Plenipotentiaries to M. de Cologan.

PEKING, *April 21, 1901.*

YOUR EXCELLENCY: We have the honor to inform your excellency that on the 18th of May we received a telegraphic decree from Si-an as follows:

"Yu Yin-lin, on the 18th of April, memorialized us by telegram, stating that in regard to the missionary cases in Ho-pei (Ho-nan) the taotai, Feng Kuang-yuan, and the French bishop, Scarella, had consulted together, and it was agreed that 170,000 taels should be paid as indemnity, covering all the claims of the missionaries. Further, 3,000 piculs of rice are to be given to relieve the native Christians. As to the principal criminals in the murder cases in Wu-an, separate instructions had been issued (to the officials concerned) to take strenuous measures to effect their arrest. In the other cases of riot and disorder the guilty persons, estimated from 10 to 15, have been arrested, some of them put in the cangue and bambooed, and others confined in chains, receiving a light or heavy punishment, as their offenses deserved. All the missionaries have returned to their respective districts, the local officials supplying funds to enable them to rent houses for temporary occupation. Extra care has been taken to protect them, and soldiers deputed to preserve order. Bishop Scarella has explained matters concerning Shih Keng, magistrate of An-yang, who exerted himself in protecting the missionaries. The bishop also reports that the acting magistrate of the Hua district, Lu Yueh-ching, is a very good officer and was diligent in arresting outlaws; that the magistrate of Wu-an, Chen Shih-wei, collected money and repaired the graves of the missionaries. He also gave 11,200 taels for renting houses and providing relief and 200 piculs of rice. The magistrate of the She district, Che Chun, contributed for the purchase of houses 2,000 taels. He also gave 200 piculs of rice and 200 taels for miscellaneous expenses. Bishop Scarella stated distinctly that he wished the above officials acquitted. In the case of the Ho-pei taotai, Ts'en Chuan-yung, as he did not perform his duties properly, the bishop requested that he should be degraded.

Of the indemnity, 50,000 taels have been paid on account and a limited time is given to pay the balance of the installments. Bishop Scarella has agreed to the settlement of the various cases and signed an agreement to that effect, so they are now all closed. A petition will be sent by the bishop to the French minister for his information. These cases have now been arranged and settled by the deputies of Honan, in conjunction with Bishop Scarella, and duly signed. As to the request that Ts'en Chuan-yung be degraded and the other officials be acquitted, it is right that action be taken accordingly.

"Let the foreign representatives be at once informed of this and a telegraphic reply sent to us."

We would observe that it appears that the four officers, viz, Shih Keng, of the An-yang district; Lu Yueh-ching, acting magistrate of the Hua district; Chen Shih-wei, magistrate of Wu-an, and Che Chun, magistrate of the She district, have contributed money in way of indemnity, also rice; have rented houses and protected missionaries. According to the statement of Bishop Scarella, these officers have performed their duties well, and did not fail to exert themselves in giving due protection. It is therefore requested that they be acquitted. In the case of the taotai of Ho-pei, Ts'en Chuan-jung, he did not perform his official duties properly, and it is requested that he be degraded. The governor of Honan has already memorialized the Throne by telegraph, asking his degredation, and a decree issued agreeing to this request. It is believed that the French minister must have received Bishop Scarella's telegram informing him of what had been done.

As in duty bound, we send this communication for the information of your excellency, and ask you, after you have made special inquiry (of the French minister about this matter), to favor us with a reply.

[Inclosure 6.—Translation.]

Foreign Representatives to Chinese Plenipotentiaries.

PEKING, *April 22, 1901.*

YOUR HIGHNESS AND YOUR EXCELLENCY: In reply to your dispatch of 17th of April concerning the punishments to be inflicted, in conformity with our demands, on the officials guilty of crimes committed in the provinces, we have the honor to transmit to you herewith the following resolutions:

It is impossible for us to admit that the officials responsible for massacres or cruel treatment of which foreigners have been victims last year shall aspire in the present or in the future to new functions after having been punished with great indulgence for the crimes for which they are responsible. We consequently insist that the officials who shall be degraded shall in no case become again functionaries of the Empire.

The King of Talat can not be pardoned, having been responsible for the massacre of more than 800 persons. We consented in our letter of the 4th of April to a reduction of the punishment of Liu Shu-tang (63), and we can not accept a punishment lighter than the one we have indicated. We consent to an inquest concerning the charges made against Yen Chih (79) and Hu Ching-kuei (94); we consent to the degradation for life, without exile or imprisonment, for Kuei Cheng (22); we consider Chen Chuan-jung (85) as too guilty to deserve any reduction of his punishment; we consent to a reduction in the punishment of the taotais (70, 71) and of the prefect (70) of Chien-chang. We must insist on our demand concerning Hung Tzu-liang (66), former prefect of Chin Chou; we consent to a reduction in the punishment of Governor Yu (57) and to the omission of the name of Governor Sung (91); we can accept no reduction of any kind in the punishment of the three military lieutenant-governors of Mukden (5), of Hei-lung Chiang (54), and of Hu lu (55) and of the Tartar commander of Payen-su-su (56).

We take note of the fact that you agree to the punishments which we have asked for 50 officials, 9 of whom are to be identified, and we accept your proposition that you should ask at the present moment a decree in this sense. With the reservation made at the commencement of this letter concerning officials for whom we insist on the original demand of punishments made, we accept the inquest and the ulterior discussion which you promise us for those for whom you make a request for reduction of punishment. We can not accept the suppression of the words "without it being possible to ever recall them to new functions," which would apply to degraded officials. We request you to ask, without any delay, of the Throne an edict in conformity with our propositions, containing mention of

all the punishments and of those which you have inflicted, and announcing the inquests for the officials who shall be subjected to this formality.

Please accept, your highness and your excellency, the assurances of our very high consideration.

(Signed by all the ministers, with the exception of the Russian.)

[Inclosure 7.—Translation.]

Li Hung-chang to Mr. Rockhill.

PEKING, *April 27, 1901.*

YOUR EXCELLENCY: On the 1st of April I received a communication from the foreign representatives submitting a list of officials in the provinces which they desired punished. In this list appears the name of Li Chao-chen, magistrate of the Wang-tu district, who is charged with having treated harshly certain British missionaries who were fleeing from the difficult position they were in. It is requested that this officer should be degraded and forever prohibited from holding any office or honor.

Instructions were issued informing this officer of the charge, and I received in reply a joint petition from the taotai of Kou-pei and the prefect of Hsuan-hua in the following sense: "It appears that the said officer has been away from his post at Wang-tu for a period of three years. While holding office at Yu-chou there was a sudden rising of the "Boxer" bandits, and the principal leaders, Chia Chi and others—in all, seven persons—were arrested and decapitated. Full and adequate protection was afforded the missionaries at Hsi-ho Ying. The preacher, Tung Shou-i, even up to the present time, expresses his gratitude for what the magistrate had done. The magistrate was transferred as acting magistrate of the Hsuan-hua district. He treated the allied forces, comprising Germans, British, Italians, and Austrians, kindly, and looked after their wants in every respect. The native Christians of Hu-to Tien and the train band of Shen-ching Pao entertained suspicions which led to a feud, each of the parties using guns and cannon in the fray, which nearly resulted in a revolution. The magistrate went in person to the scene to explain and relieve the feelings of the combatants, which resulted in bringing about peace and quiet among them. The preacher Te Mou-chen stated that the magistrate had rendered very great assistance in managing the missionary cases of 13 subprefectures, departments, and districts in the jurisdiction of Hsuan-hua. The preacher Hou Chen-hai said that he would gratefully remember the magistrate's great kindness. The above statements can be supported by proof. It is not right, in the case of the British missionaries being harshly treated in Wang-tu, when fleeing, that by mistake the officer holding the substantive appointment, but at the time was away from his post, should be falsely accused of doing an act committed by the officer who was acting as magistrate. It is proper to ask the foreign representatives to investigate this matter and remove Mr. Li's name from the list of punishments."

Having received the above petition, I beg to observe that there is evidently proof to support the statements made. It is a case of the accused being pointed out by mistake as committing an act of an acting officer, and it is right to request that his name be taken off the list of punishments. Further, inquiry should be made in regard to the harsh treatment of the fleeing missionaries—ascertaining the year, month, and day, so that the full official title of the acting officer (at Wang-tu) may be ascertained, and then he can be impeached to the Throne. This in order to show justice.

I have the honor, therefore, to send your excellency a copy of the original petitions, which I will trouble you to thoroughly look into and favor me at your early convenience with a reply.

[Inclosure 8.]

Imperial decree issued on the 29th of April, 1901.

Last year the "Boxer" bandits created a state of revolution in Pekin and vicinity, resulting in the loss of many lives. This excited suspicion in the minds of the people of various provinces, which led to repeated cases of destruction of mission property and the massacre of foreign missionaries and native Christians.

We repeatedly issued our mandates ordering the authorities to see that satisfactory protection be accorded the missionaries, but the local officers failed to exert themselves in the proper discharge of their duties, and on that account disorder

and trouble prevailed. The offenders must, therefore, necessarily be punished in propotion to their crimes.

Let Cheng Wen-ch'in (2) taotai, of Kuei-hua Ch'eng, in Shansi; Chou Chih-te (62), captain of the military garrison at Ch'ü Chou, in Chekiang; and Pai Ch'ang (1), formerly magistrate at Yang Chu in Shansi, be decapitated without delay. In the case of Wen Hsing (38), magistrate of the Luan-p'ing district in Chihli, Li Hung-chang is hereby ordered to cause a thorongh investigation to be made, and if it is true that he massacred missionaries let him also be decapitated without delay. Let the Prince of Talat (32) be deprived of his rank of nobility; his case is to be investigated and dealt with accordingly. The Prince of Alashan (30) and the Prince of the Khalkha (31) are hereby reprimanded. Yu Lu (39), formerly viceroy of Chihli, and Ch'ng Shan (75), resident of Tibet, are posthumously degraded. Liu Shu-t'ang (63), governor of Chekiang, is hereby degraded and forever prohibited from holding any office or honors; he is to be sent to his native place. The provincial treasurer of Chekiang, Yung Ch'uan (64); the deputy military lieutenant-governor of Mukden, Chin Ch'ang (51); the deputy military lieutenant-governor of Tsitsihar, Fen Hsiang (54), and the military commander of Pa-yen Su-su, Nge Ying (56), are hereby banished to Turkestan to do hard labor. Yu Chun-ming (65), brigadier of Chu Chou in Chekiang; Pao Tsu-ling (61), taotai of Chu Chou in Chekiang; Lung Wen (58) taotai of the Heng, Yung, Ping, Kuei Intendency, in Honan; Hsu Chi-ju (3), prefect of Fen Chou, in Shansi; Kuo Chi-shu (23), acting subprefect of Kuei-hua Ch'eng; Tsui Cheng-huan (14), prefect of Hsi Chou; Hsu Kuei-fen (4), prefect of Hsin Chou; Mao Shih-fu (18), assistant subprefect of Ho-lin Ko-'erh; Fan Ngen-Ch'ing (19), assistant subprefect of To-ko-to Ch'eng; Huang Ting-kuang (5), magistrate of the Ho Ching district; Tseng Li-feng (9), magistrate of the Ta-ning district; Ch'in Chien-hu (17), magistrate of the Shou-yang district; Hu Te-hsiu (25), magistrate of the Hsiao-i district; Li Ming-ho (20), jail warden of the department of Ning-yuan, and Shih Feng-chi (7), military captain of the district of Tai-yuan, are hereby degraded and sentenced to perpetual banishment to Turkestan.

Ch'ang Tsui (50), a vice-president of a board and head of the granary department; Wo-ko-chin-tai (55), deputy lieutenant-general of Hu Lan Ch'eng; Wang Lien-san (44), brigade-general of Ta Ming; Hung Shou-p'eng (43), assistant subprefect of Ching Chou; Miao Yu-ko (45), magistrate of Ta-ming; Chang Ping-che (41), magistrate of Yan Cheng district; Jung Ying (47), magistrate of the Nan-le district; Yin Chia-pin (77), acting brigade-general of Nan Yang, in Honan; Hung Ssu-liang (66), prefect of Ch'u Chou, in Chekiang; Tang Ssu-tze (82), assistant subprefect of Cheng Chou, in Honan; Yu Ch'ing (59), prefect of Heng Chou, in Hunan; Cheng Ping (60), magistrate of Ching Chuan district, Hunan; K'uei Cheng (22), military governor of Kuei-hua Ch'eng; Tao Chia-tsou (10), prefect of Tse Chou, Shansi; Pi Ch'eng (11), magistrate of Lu Cheng district, Shansi; Yu Tai-lin (12), magistrate of the K'ao-ping district, Shansi; Ngen Shun (13), magistrate of Chang-tzu district, Shansi; T'u Nai-hsun (96), magistrate of Ngen district, Shantung; Chen Tse-lin (42), provincial judge of Kiangsi; Cheng Chia-yu (92), magistrate of the Nan-feng district, Kiangsi, and Chiang Pao-jen (93), magistrate of Nan-chang, Kiangsi, are hereby degraded and forever prohibited from holding any office or honors.

Ts'en Ch'uan-jung (85), taotai of Ho-pei, Honan, is hereby degraded; Li Je-hsien (78), *alias* Li Cheng-ying, assistant district magistrate of Hsin-tien district, Honan, is hereby deprived of his rank and office.

It is necessary to hold an investigation as to the offenses of the other officials, and also to ascertain their names; and on receiving reports from the viceroys and governors concerned, another decree will be issued in regard to the punishments to be inflicted on them.

NOTE.—Numbers in brackets refer to list inclosed with foreign representatives, note of April 1, 1901. (W. W. R.)

Chinese plenipotentiaries to Foreign representatives.

[Inclosure 9a.—Translation.]

PEKING, *May 2, 1901.*

YOUR EXCELLENCIES: On the 1st of May we received a telegram from the members of the Grand Council at Si-an in regard to the punishments proposed by the foreign representatives to be inflicted on the provincial officers, in which they point out those whose punishment should be reduced and made more lenient.

(32) Prince of Talat. This is a prince of the Outer Mongols, and hitherto a prince of this order has never been incarcerated. His punishment should be

reduced to depriving him of his title of nobility, and his case be subject to an investigation and dealt with accordingly.

(63) Liu Shu-tang, former governor of Chekiang. Under Chinese law, property is confiscated in cases of criminals stealing property and concealing it. The governor's case should be modified to punishment by degradation and forever prohibited from holding office; he should also be sent to his native place.

In the cases of the former provincial judge of Chekiang, Yung Ch'uan (64), the deputy military lieutenant-governor of Mukden, Chin Chang (51), the deputy military lieutenant-governor of Hei lung chiang, Feng Hsiang (54); and the military commandant at Pa-yen-su-su, Nge Ying (56), it may be stated that their crimes do not come under the Chinese statutes of cases where forgiveness is not shown. The punishment "Forever forbidden from holding office" should be omitted in their cases. A decree has already appeared in regard to these cases. The foreign representatives, in asking punishment of Chinese officials, naturally can not desire that it should be in violation of the statutes of China.

In the case of the acting prefect of Tai-yuan, Hsi Han-tu (27), the governor of Shansi, T'sen, reports that at the time Yu Hsien had planned the massacre of the missionaries, the said officer was at his own post as prefect of Lu-an. He had not at the time reached Tai-yuan as acting prefect, and did not assist in the massacre. He should be acquitted, and an examination instituted as to who the Tai-yuan prefect was at the time and whether or not he took part in this cruel work.

In the case of Yang Hung-li, brigade general of Ta-tung (26), it may be observed that there were missionary cases in his jurisdiction, and due protection was not accorded. His punishment should be degradation, but allowed to retain office.

In the case of Tseng Pei-chi (89), prefect of the Wei-hui prefecture, this officer duly protected the British and French missionaries and safely escorted them outside of his jurisdiction. He had nothing to do with the murder of missionaries. He should be acquitted.

In the case of Fu Feng-yang (?), prefect of Nan-yang, this officer duly protected the missionary chapels, and acted in good earnest in the proper discharge of his duties. There is a record of the French missionary, An Si Man, and the British missionary, Kung Hai-i, having sent a note to the prefect thanking him for the services he had rendered them. He did not maltreat the missionaries in any way and should be acquitted.

In the cases of Chen Shih-wei (90), magistrate of the Wu-an district; Shih K'eng (88), magistrate of the An-yang district; Ch'e Chun (87), magistrate of the She district; Lu Yueh-ching (86), magistrate of the Hua district, it may be observed that these officers have all paid the missionaries the amounts of their losses and have arranged with Bishop Scarella a settlement of the cases. The bishop has reported the matter to the French minister asking that the matter be dropped. No decree has, therefore, been issued in regard to the above eight officers.

We ask that your highness and your excellency lay before the foreign representatives the reasons here given for a reduction in the form of punishments and for acquittal, and to say that the Emperor has no intention whatever of screening these officers. His Majesty's wish is that the punishment inflicted be as the crime merits; that is all.

Excepting the case of the Chien-chang taotai (71), whose punishment has been reduced, as requested by the foreign representatives in a previous communication, to degradation but allowed to retain office, the others must await a report from the various provinces, and if there be any cases in which the circumstances vary from those given, then they can be subject to further consideration and action taken accordingly. In the case of the Wang-tu magistrate, Li Chao-chen (49), as he was really away from his post at the time, it has been agreed that he should be acquitted.

As in duty bound, we send your excellencies the above telegram from Si An for your consideration.

[Inclosure 9b.—Translation.]

Chinese plenipotentiaries to Foreign representatives.

PEKING, *May 2, 1901.*

YOUR EXCELLENCIES: On the 1st of May we received a telegram from the Grand Conucil at Si-an, stating that in regard to the punishment proposed for the officials in connection with the missionary cases in the province of Kiang-si, the governor of that province has now reported that, with the exception of the cases of Cheng Chia-yu and Weng Pao-jen, which have been disposed of by decree, there

are the cases of the former acting taotai of the Nan, Kang, Ming, intendentcy, T'u Chun men, and the brigade general of Kang Nan Chen, Ho Ming-liang. It appears that last year they issued proclamations protecting the missionaries, and that the missionaries and converts did not charge them with refusing to put out the viceroy's proclamation or refuse to dispatch soldiers to maintain order. The request is made that either nothing further be done in their cases or that they be treated leniently. In the case of the prefect of Chi-an, Hsu Tao-pei, it appears that he was removed from office a long time ago. There is no absolute proof that he permitted the literati to attack the missionary establishments. This officer has been instructed to go to Chi-an and act with the present incumbent of office, arrest the criminals, and arrange to pay the claim of the missionaries. In the case of Jen Yu-shen, magistrate of the Fou-liang district, in which a missionary chapel at the village of Ching-te was destroyed, it may be observed that this officer has already been removed from office. It was not his purpose, however, not to protect the mission property. In the case of Wei Chu-kuei, acting magistrate of the Shang-kao district, it may be stated that there is no proof on record of the burning or looting of missionary property in that jurisdiction. There are, however, many cases of litigation there pending between the people and Christiaus. Again, the prefect of Lin-chiang is not named Shih; but the magistrate of Ching-chiang district in this prefecture is named Shih Shou-chen. The missionaries recently sent a note stating that there were a good many cases at law there pending between the people and non-Christians, and in consequence a deputy has been sent there to investigate them. As to the other cases in which missionaries have been subjected to trouble in various districts, it may be stated that Chang Wen-lan and other literati—in all, 15 persons—have been deprived of rank and office.

Again, the governor of Honan has reported as follows: Yu Kuang-ming (80?), magistrate of the Ho-wei district in Honan, deputed soldiers to escort missionaries out of the province. There is proof of this on record. Lien Kuei (81), magistrate of the Jung-tse district, is dead. As to Lin Teng-keng (83), magistrate of the district of Hsi-hua, this officer dispatched official police to escort and protect the missionaries. There is a record of this. In the case of Wang T'an (84), assistant subprefect of Chou-chia-kou, on the missionaries reaching his jurisdiction he deputed official police to escort and protect them, and when there was trouble the rioters were suppressed and dispersed. There is a record of this. The Ho-pei missionary case is settled, and the request is made that it be not further considered.

In regard to the above officers, it is requested that a dispatch be addressed to the foreign representatives asking that they consider the circumstances of each case and in accord therewith either modify the punishment demanded or acquit the accused as the case may be. On receipt of reports *re* the other officers, a telegram will be sent to your highness and your excellency to await the action of the Throne.

As in duty bound, we send the above for your excellencies' information.

[Inclosure 10.—Translation.]

Chinese plenipotentiaries to M. de Cologan.

PEKING, *May 13, 1901.*

YOUR EXCELLENCY: Some time ago we had the honor to receive a communication from the foreign representatives inclosing two lists, one giving the names of officials in the provinces who should be punished, and the other giving the names of officials whose conduct should be subject to an investigation. A decree was issued punishing certain officials, and we duly communicated to your excellency at various times the circumstances reported in regard to the cases in the provinces of Kiang-si and Ho-nan.

We have now received a telegram from the grand council at Si-an, stating that a report has been received from the viceroy of Szechuan in regard to the various officers in their connection with missionary cases.

The taotai of Chien-chang, Wang Li-yen (71); the prefect of Hsü Chou, Wen Yuan; the prefect of Ya Chou, Li Nien-tze (74), and the former acting prefect of Ya Chou, Wang Chih-tung (73), ordinarily issued particular orders to their subordinate officers to protect the missionaries in their several jurisdictions, and their work in this respect was done in good earnest. Wang Li-yen, in particular, exerted himself in this direction. But his jurisdiction covered a vast territory; the minds of the people were aroused, and in some instances unexpected trouble happened in certain

districts, which could not be helped, in spite of the instructions issued; but the taotai did not purposely tolerate or allow it with his consent. There are extenuating circumstances in this case. It is right that the question of diminishing the punishment of the taotai of Chien-chang, Wang Li-yen, and the former and present prefects of Ya Chou, Wang Chih-tung, and Li Nien-tze should be considered. It is therefore proposed to alter it to degradation with retention in office. In the case of Wen Yuan, prefect of Hsü Chou, it is proposed to transfer him to another post. In the original memorial to the Throne the name of this officer is given as Wen Kuei; this was a mistake.

In the cases of the former acting magistrate of the Department of Tsung-ching, Chen Chao-tang; the acting magistrate of Chung-ning, Chen Ting-hsun; the former magistrate of Nan-kuo district, Yuan Yung-pin, and the acting magistrate of the Ta-tsu district, Chao Sui-chih, after the missionary troubles occurred these officers exerted themselves in protecting the missionaries and acted energetically in effecting the arrest of the rioters. Although some of the native Christians were injured, no harm was done to the missionaries themselves. Excepting Chen Chao-tang, who has been removed from office and left the province, it is decided that the others—Chen Ting hsun, Yuan Yung-pin, and Chao Sui-chih—should also be removed from office and to leave the province.

As to the former acting magistrate of Chiung Chou, Li Chang-pei; the former acting magistrate of Kuan district, Wang Hu; the former acting magistrate of Wen Chiang district, Chou Ching-jen; the acting magistrate of I Pin district, Wang Tien-chia; the former acting magistrate of the Shuang Liu district, Kung Pao-lang; the acting magistrate of the Pi district, Huang Shu-hsun, and the acting magistrate of Ming Shan district, Lu Ting-chih,[1] there is absolute proof that they did not allow the bandits to insult the Christians; but in managing the missionary cases these officers were either punctillious and obstinate or they merely looked on and dillydallied. They are all to be degraded, but retained in office. These officers have been severely punished—more severe than the circumstances warrant. We (the grand council) beg that you will communicate the above to the foreign representatives, clearly explaining this and asking them to agree to the decision arrived at. We would also observe that all above officers are in the list of officers whose offenses should be subject to investigation, as their cases had not originally been looked into. We hope that the foreign representatives will lose no time in settling this matter and not be too hard in the way of punishment.

We have also received from the Mongolian Superintendency a dispatch stating that on the 3d of May the following decree, issued on the 29th of April, was received by it from the Grand Secretariat:

"Last year the Boxer banditti created a state of revolution in Peking and vicinity, resulting in the loss of many lives; this excited suspicion in the minds of men of various provinces, which led to repeated cases of the destruction of mission property and the massacre of foreign missionaries and native Christians. We repeatedly issued our mandates ordering the authorities to see that satisfactory protection be accorded them, but the local officers failed to exert themselves in the proper discharge of their duties, and on that account disorder and trouble prevailed. The offenders must therefore necessarily be punished in accordance with their respective crimes. Let the Prince of Talat be deprived of his title of nobility, his case investigated, and action taken in the premises. The Prince of Alashan and the Prince of the Khalkha are hereby reprimanded."

On investigation it appears that the Prince of Alashan-Dzassak is named Tolotessuleng, and his pasturages are near Ning-hsia and in the jurisdiction of Ning-hsia. It is right to address the military governor of Ning-hsia, to have him reprimanded in accordance with the terms of the Imperial decree. We have looked over the records of the Inner and Outer Mongols, of their banners and names and styles of the princes, but can not find any Prince of Talat or Prince of Chung Khalkha. In order to carry out the terms of the decree, it is necessary to ascertain where their pasturages are, whether they are princes of the first or second rank, their residences, and the jurisdiction they are under. There are many difficulties in translating Mongol names into Chinese, but to translate the vulgar tongue into Chinese is still more perplexing.

We have the honor, therefore, to address your excellency this communication, and beg that you will confer with your colleagues and agree to the punishments decided upon in the cases of the Szechuan officials, and ascertain the banners and names of the above-mentioned Mongolian princes, and favor us with a reply.

[1] Most of the above names are on the list of suspected persons whose cases were to be inquired into by the Chinese authorities. This list is not published—W. W. R.

[Inclosure 11.—Translation.]

Foreign Representatives to the Chinese Plenipotentiaries.

PEKING, *May 17, 1901.*

HIGHNESS, EXCELLENCY: In reply to the demands for punishments which we made you on the 4th and 22d April for the officials responsible for the crimes committed in the provinces, you informed us by your dispatches of the 27th April and 2d May of the punishments which you had inflicted on these criminals.

We have noted that among these punishments did not figure that of suspensive death, which we had demanded for the following officials: The prefect of Fen Chou Fu (No. 3); the prefect of Hsin Chou (No. 4); the assistant subprefects of Ho-lin-ko-ehr (No. 18); and of To-ko-to Ch'eng (No. 19); the keeper of the board of punishments of Ning-yuan (No. 20); the subprefect of Kuei-hua Ch'eng (No. 23); the ex-subprefect of Wu-i (No. 41); the military lieutenant-governor of Mukden (No. 51); the military official Ao (No. 56); the taotai of Heng Chou Fu (No. 58); the taotai of Ch'ü Chou Fu (No. 61).

Furthermore, you have modified the demands of punishments which we had made in our letter of April 4 for the exgovernor of Chekiang, Liu Shu-tang (No. 63), and the treasurer of the same province, Yung Ch'uan (No. 64).

We deem it necessary to insist on our first demands, as well in the cases of the officials for whom we have thought it necessary to demand the penalty of suspensive death as for the two latter.

Your highness and your excellency remarked in connection with some of these punishments that they were incompatible with Chinese law. This is an argument which we can not take into consideration. Our preoccupation has been to repress with moderation and justice crimes against the law of nations, against the laws of humanity, and against civilization, crimes which, being without precedent, had not been foreseen by Chinese law.

We consequently request you to solicit from the Throne a supplementary decree in conformity with our reclamation.

(Signed by all the representatives of the powers except by that of Russia.)

Mr. Hay to Mr. Rockhill.

No. 20.] DEPARTMENT OF STATE,
Washington, April 11, 1901.

SIR: Referring to my telegraphic instructions to you of this date in regard to the revision of the commercial treaties with China, * * * I have to inclose for your information copy of a report on this subject by Mr. John A. Kasson, special commissioner plenipotentiary, dated March 2, 1901, with the accompanying communications.

I am, sir, etc.,

JOHN HAY.

[Inclosure 1, with dispatch No. 20.]

Report on questions relating to Chinese taxation, indemnity, and proposed conventional provisions.

The SECRETARY OF STATE:

Upon reference by the Secretary, the undersigned has examined the following papers:

1. Letter of A. E. Hippisley to the Secretary of State, November 23, 1900, with extracts from his address before Johns Hopkins University.
2. Letter of same to same, January 3, 1901, with accompanying translation of memorandum submitted by him to Li Chung-Tang, suggesting certain financial arrangements in re indemnity.
3. Letter of same to same, dated January 5, 1901.
4. Letter from American Asiatic Association (John Foord, secretary) to same, January 25, 1901, with accompanying memorandum touching the revision of commercial treaties with China.

I have also sought further information in our consular reports from China, among which I note the following:

1. Jernigan (Shanghai), December, 1896, Commercial Relations, 1895-96, page 796.
2. Report on Japanese Treaty, December, 1896, Commercial Relations, page 791.
3. Fowler (Cheefoo), No. 192, September, 1896.
4. Smithers (Chung King), Commercial Relations, 1898, volume 1, page 1023.
5. British Consular Report accompanying the foregoing, page 1033.
6. Gracie (Fuchau), Commercial Relations, 1898, page 1039.
7. I have also examined the conventions which have been made by the United States with China.

The incompleteness and uncertainty of all our information in respect to the economic system prevailing in China, and the unreliability of all the statistics of the revenues of China, except that collected under European officers, render it impossible for the investigator abroad to arrive at any satisfactory conclusion in respect to the financial policy to be pursued with the object of providing indemnities.

It is alleged on all sides that collections of revenue by Chinese officials are dishonestly conducted, are largely appropriated to private uses, and that a minor fraction of these collections reach the official treasury to which they are destined. This is alleged to be true in respect alike to the collections for the Imperial and for the provisional treasuries. The total revenue received by the Imperial Government is approximately ascertained. The actual amount collected from the various sources of revenue is conjectural, with the exception of that derived from the customs duties. The following appear to be the principal sources of taxation:

1. Land tax, in kind, commuted to money payment.
2. Land tax, in kind, for Pekin use.
3. Customs collected under European control.
4. Salt duty.
5. Native customs.
6. Likin.

Of the foregoing taxes it is ascertained that a large part of the first (land tax) is absorbed by peculation, and that if honestly collected and paid over the aggregate proceeds would be much more than double. But the attempt to put this revenue throughout the vast interior of China under European control would encounter such obstacles and popular opposition as to render it impracticable.

The fourth (salt duty) is already so high as to induce much smuggling, and being an article of necessity ought not to be increased.

The fifth (native customs) yields a small amount of revenue, and foreign intervention therein is not advisable.

The sixth (likin) appears by unanimous testimony to be locally variable, often repeated, and the most obnoxious tax of all which affect imported goods, and is the most burdensome of all upon foreign commerce, both inward and outward, and ought to be wholly abolished, certainly upon imports, and if possible on the exports of China.

The third (customs under foreign control) is the only item in the list in respect to which changes can be made with a safe calculation of results in the amount of revenue to be derived from an increase of rates.

It is possible that the likin (transit tax) on goods for export coming from the interior might, like the likin on imported goods, be commuted at an agreed rate, and collected under European supervision at the port of destination. If this can be done, the result would be a large increase in revenue from this source, with a diminished burden on the goods. As an alternative it might possibly be stipulated that likin should be collected only once in each province of China, the amount to be definitely limited.

As provincial governments must have some source of revenue, the Imperial Government should be at liberty to set aside for provincial use from the proceeds of these likin taxes, if commuted, at least so much in amount as is now derived therefrom by the provincial treasuries. This would conciliate the viceroys and might remove their objections to the exterior collection of this revenue, while avoiding local expenses and peculations.

It appears that the paying stations for likin are not limited, but may be increased in number, and the total assessments vary largely in different provinces of China. There is also a "perfectural" duty (fu-shui) in some provinces, which is reported as "a great incubus on trade." There is, besides, a regular export duty of 5 per cent in conformity with treaties, and it seems that this may (like the regular import duty) be in effect indefinitely increased by the likin on exports. There is further reported an additional customs duty collected by native authorities on

goods passing from one port to another, called a coast-trade duty, which is said to be assessed on both imports and exports.

It also appears from the note of the American Asiatic Association that the Chinese have further applied a kind of octroi, called tso-ku, and a sort of destination duty, called tso li, since the likin tax was commuted to a fixed percentage.

Against all these varying and vexatious exactions outside the regular duties, provision should be made by the proposed treaty, in order to give security to international commerce.

It is also extremely desirable to abolish likin charges on exports, but as their incidence is upon native products, the question of their abolition, or of a commutation of them by a fixed per cent ad valorem, to be paid in such manner as to be agreeable to the interests of the Chinese treasury, must be deferred to the negotiators of the new commercial arrangements. It is plainly for the interest of Chinese production and export that some beneficial change should be made in the present system.

CONCLUSIONS.

First. I concur in the opinion expressed by the writers of the communications above referred to, that the total indemnities to be paid by China, both on personal and on national claims, should be so graded as not to exceed in the aggregate $200,000,000. A larger amount would threaten bankruptcy of the Imperial treasury, or so weaken the provincial treasuries as to provoke discontent and disorder in the districts where it is of the highest importance to foreign commercial interests to promote peace and prosperity.

Nor should it be forgotten that looting and destruction of property in China by foreign troops should be taken into account in adjusting claims for indemnity, if indemnity be considered a part of the punishment imposed on China.

But aside from this point of view, excessive indemnity would depreciate largely the value of the existing obligations of China now held abroad, and would diminish the value of the new obligations to be issued by China. On the contrary, if the indemnities now to be established are plainly within her ability to pay, the value of her securities, both old and new, will be maintained.

It should be especially remembered that full indemnity to foreign governments is far less important to them than is the progressive improvement of their trade with China. Future adequate security for commerce, inward and outward, and for the persons who conduct it, is of far greater advantage to the United States, to Russia, England, and Germany, than are a few millions, more or less, paid now into their treasuries. The latter is a temporary advantage, the former a permanent investment which, wisely managed, will be followed by increasing returns with unlimited gains to their respective peoples.

This view increases in importance in the ratio of Chinese prosperity. Let the treaty arrangements assuredly promote this prosperity, with secure opening of the country to foreign trade, and other compensation to foreign governments might properly be scaled down to unquestionably moderate figures to the advantage of all countries concerned.

Second. Assuming that the indemnity will be restrained within a reasonable limit, consistent with Chinese resources, it seems practicable to obtain the income required to defray the annual charges by an increase of the customs duties, aided by a commutation of the likin charges (inward and outward), such commutation to be collected under foreign supervision, and paid in some defined proportion into the Imperial treasury.

It appears to be the better opinion that the duties on imports must be raised at least to 15 per cent ad valorem in lieu of the present rate. The calculations must, of course, be based on the amount of the indemnity, now unknown. Assuming this not to exceed 200,000,000, and further assuming that the powers will accept the bonds of China instead of compelling her to sell these bonds to raise the indemnity money in open market with a further loss of capital, then it seems reasonable to believe that China might provide for the annual interest and sinking fund out of the proceeds of the augmented customs receipts, reenforced as proposed by commutation of likin taxes, a definite proportion thereof to be retained by the Imperial treasury.

Under no circumstances should it be forgotten that the main purpose of an adjustment is to leave China in condition to produce profitably and to buy in exchange for her production. If she is impoverished or reduced to misery it means destruction to the growing market for which the powers are now competing. Such punishment will fall on the commercial nations equally with China.

Third. Instead of the continued occupation or proposed destruction of the Chinese fortifications on the Peiho River, which latter more represents temporary vengeance for the past than rational security for the future, it seems to me a wiser policy for the allies to disarm the forts and to reserve the right to reoccupy them in cases of disorder endangering foreign rights or in case of future violation by China of the provisions of the treaties, and to stipulate their nonoccupation by the Chinese without the consent of the powers until the indemnity is fully discharged. In this way the irritation caused by the perpetual presence of foreign military sovereignty in Chinese territory would be avoided and an additional motive supplied for the faithful observance of the treaty.

Fourth. It is desirable (if such an agreement by the allies shall be possible) to provide that China shall not hereafter grant to nor place under the jurisdiction of any foreign government any portion of her territory without the consent of all the signatories to the present treaty.

Fifth. In respect to likin, a treaty provision of the following purport is suggested:

That in consideration of the increased customs duties which in conformity with this convention China is at liberty to impose upon the foreign products imported, and in further consideration of the adjustment herein made in respect to the transit tax (likin), it is agreed on the part of China that no other transit tax (likin) and no octroi tax (tso-ku, loti-shui), destination tax (tso-li), or other tax or charge, for any purpose, in any form, or under any name, shall be levied or collected on the imported goods which shall have paid the stipulated conventional duties and charges: but the same shall be exempt from all other charges, national, provincial, or local, in all parts of the Chinese Empire. A certificate of such payment shall be issued by the collector of the same, in duplicate, one copy to be retained by the importer and one copy to accompany the shipment of the goods to their destination in the Empire.

(If likin on exports is also adjusted, like provision to be made applicable to them.)

Sixth. As far as the United States is concerned, it is important to anticipate the efforts of other nations to secure exclusive advantages for their allegiants, their shipping, or their commerce by agreeing with China on a strongly worded most-favored nation clause. The following is suggested for consideration:

That whatever privilege, exemption, benefit, or advantage is already or may hereafter be conceded by China to the official representatives or to the merchants, subjects, or citizens of any other country, in respect of their persons, property, rights, or occupations, shall be at the same time extended to the like official representatives, merchants, and citizens of the United States; that the lowest rates of duty or other charges imposed on personal property or articles of international commerce of any foreign national origin shall be immediately applicable to the like articles of United States origin; and no other or higher duties, charges, burdens, or restrictions of any kind shall be imposed on the exports of the United States than those imposed on the exports of the most favored nation. All privileges, rights, exemptions, and benefits now or hereafter accorded by China to the vessels of any other foreign nation or to their cargoes or officers and crews shall be equally enjoyed by those of the United States. It is fully understood by both high contracting parties that the United States, the citizens thereof, and their property and personal rights and privileges in China shall continue to be treated on the most favorable terms conceded by China to any foreign nation or people.

Seventh. In view of the state of war which has actually existed between the allies and China, and in order to obtain security against a possible claim that under international law existing treaties were annulled by the war, it seems expedient to make a new treaty between the United States and China, which shall provide for the payment of the indemnity to the United States as adjusted, and shall at the same time declare that all provisions of the conventions between the two countries which were in force on the 1st day of January, A. D. 1900 are continued in full force and effect, except so far as modified by the present convention or by other conventions to which the United States is a party.

The most-favored-nation article would naturally find a place in this suggested treaty.

With the limited information at my command the foregoing embraces all the opinions and suggestions which I feel sufficient assurance to express. They are submitted with entire deference to the criticism of those who, like the British controller of customs in China, have an intimate acquaintance with local conditions, which must to a great extent control foreign official action.

Respectfully submitted.

JOHN A. KASSON,
Special Commissioner Plenipotentiary.

MARCH 2, 1901.

[Inclosure 2.—Instructions No. 20.]

Mr. Hippesley to Mr. Hay.

GRAFTON HOTEL, CONNECTICUT AVENUE,
November 23, 1900.

MY DEAR SIR: At the invitation of the president of the Johns Hopkins University I last week delivered an address on the revenue system of China before that institution. The question of the amount of indemnity to be exacted from China is now actively occupying the attention of the plenipotentiaries in Peking; and as I foresee that the insistence on a sum beyond China's capabilities will jeopardize both the independence of that country and the future good relations of the western powers among themselves. I venture to send you that portion of my address which dealt with this question, in the hope that the presentation of the actual facts and figures by one who has been occupied with them for many years may help to confining the demands within moderate and feasible limits.

I remain, etc.,

ALFRED E. HIPPESLEY.

[Inclosure with Hippesley letter.]

Extract from address to Johns Hopkins University.

The Chinese Government publishes, indeed frames, no national budget. Each autumn, however, the board of revenues in Peking, as head of the financial administration of the Empire, draws up a statement of the requirements of the metropolitan administration and of the contributions to be made toward them by the several provinces. The expenses of the provincial administration are defrayed mainly from the land tax and likin; and from what remains of them, from the salt gabelle, native customs, and the bulk of the foreign customs revenue, those of the imperial household, the metropolitan administration, the defense of the northern provinces by land and by sea, the Fuchou Arsenal, etc., are defrayed. From steady reading of the Peking Gazette, which is a collection of such official documents as the privy council sees fit to make public and which from time to time contains reports (more or less fragmentary) from viceroys and governors on all these subjects, an approximate estimate may be formed of China's revenue, which may be stated thus:

	Taels.	
Land tax, levy in kind commuted to money payment	20,000,000	$14,160,000
Land tax in kind for Pekin use	6,000,000	4,250,000
Likin on merchandise, net	15,500,000	10,930,000
Salt duty and likin	12,000,000	8,500,000
Native customs	3,000,000	2,125,000
Customs under foreign inspectors, net (1899)	23,500,000	16,695,000
Miscellaneous	5,000,000	3,540,000
Total	85,000,000	60,200,000

Prior to 1895 the public debt of China amounted to only some $9,250,000. In that year, however, hostilities broke out between Japan and China, the exigencies of which forced the Nan-Yang Ta-ch'en to borrow, with imperial sanction, some $25,000,000, while the final treaty of peace imposed on China payment of an indemnity of taels 230,000,000, or at the rate of exchange agreed upon of £27,615,000 ($138,075,000). Owing to China's impaired credit and flotation expenses, she had to borrow a nominal total of $239,100,000 to pay this idemnity; and to cover interest and sinking fund on all these loans China has to provide annually—

From date to 1915, 23,000,000 to 24,500,000 taels	$16,285,000 to $17,400,000
From 1916 to 1931, 17,500,000 taels	12,345,000
For 1932, 12,000,000 taels	8,500,000
From 1935 to 1942, 5,500,000 taels	3,850,000

It is now stated that China will be required to pay as indemnity for the destruction of life and property during the recent disturbances and for cost of foreign military expeditions a sum not less than $200,000,000 nor more than $600,000,000. It is quite impossible for her to pay even the lower sum. To pay $138,075,000 it was necessary for China, when her maritime customs revenue was practically untouched, to incur an indebtedness of $239,100,000. Now, when that revenue is mortgaged up

to the hilt, it would cost her at least $275,000,000 to raise $200,000,000 in the open market; and that is the only source from which she should attempt to produce funds, for loans granted or guaranteed by one or more foreign governments would inevitably result in constant interference in the administration of the Empire, and therefore in weakening the power and prestige of the Government, and thus tend to promote unrest and eventually disintegration. To provide interest on and sinking fund for such a loan, an annual charge of at least $25,000,000 would be required. How could this be obtained? China's revenue has been reduced by her present indebtedness from over $60,000,000 to some $43,000,000, and, as the documents in the Pekin Gazette show, the metropolitan and provincial administrations are one and all in the greatest straits and are reduced to pitiful expedients to avoid bankruptcy. To place a further charge of $25,000,000 on the revenue would produce immediate default; the foreign powers, as guarantors, would foreclose, and China's independence would be a thing of the past.

Is it, then, possible to institute new or increase old taxes to provide funds? That to institute new taxes to pay indemnities to foreign powers is the surest method to create and perpetuate general antiforeign feeling is a self-evident proposition. As regards old taxes, the land tax is moderate in amount, but it has remained so long at its present rate that an increase, for no matter what reason, would create general discontent and probably forcible opposition; to allow it to be published that such an increase was made on the demand and for the benefit of foreigners would be the height of folly. That the salt gabelle is a grievous burden on a necessary article of daily food is proved by the universal smuggling of salt that exists. To increase the tax would be most unwise, and to change the method of collection would be impolitic, if not dangerous, because the system is so complicated that no person can tell what the effect of any change would be. Likin is already the most grievous burden on the trade and prosperity of the Empire. Effort should therefore be directed toward its abolition, not its increase. The foreign customs: It is scarcely probable that the foreign powers would consent to an increase in the treaty tariff, i. e., in the taxation of their own goods, merely to supply funds from which indemnities would be paid to themselves. As regards native customs, it would undoubtedly be a step in the right direction to place these under the control of the commissioners of foreign or maritime customs at the treaty ports, and some increase in this amount would no doubt result, but it could not be sufficient to bear the burden of so large a loan.

The leakage under the existing system of collection is admittedly so great that it has been suggested that were an international financial board substituted for that system it would be possible to enormously increase the collection without adding to the present levies. The objections to such a proposal are, however, serious; for putting aside the international jealousies and intrigues which would inevitably result in China as they have in Egypt from such a system, either the authority of that board would be ignored, or, to enforce it in remote districts of the interior, such constant interference in the provincial administrations would be rendered necessary that the independence of China, which all the foreign powers declare themselves anxious to maintain, would vanish and the control of the Empire virtually pass into foreign hands. The only course would, then, seem to be for the powers to recognize that their treatment of China during late years is, as it undoubtedly has been, one of the chief contributing causes of the recent outbreak, and to therefore forego pecuniary indemnity for lives and the expenses of the relief corps, confining such indemnity to property destroyed alone, and to content themselves with insisting on the adequate punishment of the high officials who actively or passively have been responsible for the atrocities committed as the most likely means of preventing the recurrence of such outrages in the future. Any other course will, I firmly believe, result in calamities beyond all compare greater than any which have yet happened.

[Inclosure 3, with instruction No. 20.]

Mr. Hippesley to Mr. Hay.

NEW YORK, *January 3, 1901.*

DEAR MR. HAY: I send you inclosed the English version of a memorandum I have forwarded to his excellency Li Chung-tang, regarding the financial arrangements I would suggest in the coming negotiations with China, in the hope that after consideration the proposal contained in it may commend itself to your approval.

I feel strongly that if foreign nations desire a permanent solution of the Chinese difficulty, which, by removing causes of friction, will tend to promote sympathy and

intercourse between China and the West, they must abandon the policy followed in the past of regarding only what appear to be their own personal interests in the terms they nominally negotiate, but practically dictate, and must stop to consider what the effect of those stipulations will be on China. Can she give effect to them? Will they be advantageous to her? This of course means the lengthening out of negotiations, because where government is as decentralized as it is in China and the viceroys are rather coordinate than subordinate authorities, it means that these latter must be consulted as to the exigencies of provincial administration and a modus operandi arranged with them. But the time will be well spent if thereby future difficulties are avoided and the appearance of diction removed. For the same reason I should be glad to see provision for the introduction of reforms substituted for the clauses requiring the destruction of the Taku forts and prohibiting the importation of arms—clauses which render China helpless to resist aggression from without or attacks of rebels within her borders.

Opposition on the part of the Chinese to the abolition of likin may be anticipated, perhaps, because of the numerous staffs now employed in the collection who would be thrown out of employment. But it has to be remembered that the Chinese commission on tariff revision itself proposed only a few months ago the abolition of that tax on all foreign goods; so that the present proposal is rather merely another step forward than a new and radical change. It may, too, be objected that even if China consents to the abolition she can not be relied on to keep her engagements. There is, I believe, no sufficient ground for such an apprehension; for in the case of the exemption of all internal taxation on foreign opium, in return for the simultaneous collection of duty and likin by the foreign customs, China has abundantly shown her willingness and ability to give full effect to conventions that have really been negotiated with her after consultation with the provincial authorities chiefly affected by those conventions.

Finally, four times the tariff rate on exports may prove too high a tax in the case of low-priced articles, such as skins or of others, which have to compete on a narrow margin of profit with the products of other countries; but China may, I think, be trusted to, in such cases, herself grant reductions. In any case, especially to cover the case of tea, values of which have considerably declined since the tariff was framed in 1800, it might be stipulated that the duties as now fixed shall in no case exceed 20 per cent.

I am, etc.,

ALFRED E. HIPPESLEY.

[Inclosure with second Hippesley letter.]

Settlement of difficulties in China—Suggested financial arrangements.

It has been officially stated in the German Reichstag that among the proposals advanced by the foreign ministers in Peking with a view to the settlement of the recent outbreak in China, and to preventing a recurrence thereof in the future, is one dealing with a revision of taxation on merchandise. There can be no doubt that revision is eminently desirable, but to be effective and advantageous it must be such as will, on the one hand, further the stability of the Chinese Government, and, on the other, avoid so far as possible the imposition of new burdens on trade, internal and external alike. How can this best be achieved?

That likin is a grievous burden on the trade and prosperity of the Empire is admitted by all, whether Chinese or foreigners. Instituted in the early fifties to provide funds for the operations necessary to effect the suppression of the Taiping rebels, it was then described as an indispensable tax for the time being, and to be abrogated as soon as peace was restored. It has continued indispensable ever since; and its abolition now, when the treasuries, both metropolitan and provincial, have been already reduced to the lowest ebb by the service of the loans required to pay off the Japanese war indemnity, is out of the question, unless means are found to make good from other sources the funds now derived from likin. Yet, because it is such a burden, every effort should be devoted toward effecting the abolition of it. And this would be effected if the foreign powers will consent to the tariff duties being quadrupled, and to the abolition of the duty-free privileges, except for bullion and for articles imported for the importer's personal use and not for sale, granted by supplementary rule 2 appended to the tariff, on the condition that China abolishes likin and lo-ti-shui, and to secure uniformity.

When this rule was framed in 1860 there were but few foreign merchants established in China, and it was considered but fair that articles imported by them for household and office use should be admitted duty free. In the intervening forty

years conditions have altogether changed, and many of those articles are now used in large quantities by the Chinese. Thus it results that the Chinese Government is debarred from raising any revenue from the large quantities of flour, wines, spirits, tobacco, underclothing, etc., brought into China not for the importer's personal use, but for general sale. This is unjust. The wise course would be to abrogate the entire clause. But if that is considered open to objection, all that foreign nations can fairly ask is that what an individual imports for his own use be excepted of treatment by all offices—transfers the native customs establishments at the treaty ports to the control of the foreign or maritime customs. To secure this consent, it is necessary to satisfy the powers that such a rearrangement of the taxes will not only be beneficial to China, but impose no serious additional burden on foreign trade. I believe that not only can this be proved, but that the proposal would actually benefit trade, alike foreign and native. It is therefore proposed to consider the results of the adoption of this proposal as affecting (a) foreign trade, (b) native trade, and (c) the Chinese Government.

(*a*) *Foreign trade.*—The name likin indicates that originally it was intended to represent a tax of only 1 per million ad valorem. If it ever represented so moderate a levy it has long ceased to do so, and in some cases, as reference to the tariffs will show, a single levy now amounts to as much as 18 per cent, while liability to likin in one province is not exhausted until two and one-half levies have been made, and payment in one province does not grant exemption in the next; crossing the frontier renews the liability afresh. What is the average percentage of value thus levied on merchandise in transit in any one province it is impossible to say. But I know from personal experience, while commissioner of customs at Shanghai, that native merchants were willing to pay three and one-half times the tariff rate, or about 17½ per cent, in order to secure transit pass privileges—i. e., exemption from inland taxes and comparatively speedy examination at the tax stations passed—for some of the less highly taxed products of the province (Kiangsu) in which Shanghai is situated. Those products therefore would pay 22½ per cent before export abroad, and 25 per cent if sent to another treaty port in China—i. e., taxes in either case higher than the total now proposed, about 20 per cent; and naturally the payment of this percentage constituted an advantage over payment of inland taxes, or merchants would not have desired the introduction of such an arrangement.

It will no doubt be objected that the transit privileges already enjoyed under the treaty of Tientsin, whereby foreign goods may be sent to any inland mart or native goods purchased by foreign merchants for export abroad may be brought down to any treaty port free of taxes en route on payment of half-tariff duty of 2½ per cent only, are far more favorable than the proposal now submitted. To answer this objection satisfactorily attention must be invited to the following considerations:

First. Stipulations which the central government may be compelled by force majeure to accept may have the effect of depriving the provincial administrations of funds indispensable to the maintenance of their government. This has been the case in the matter of these transit privileges. And when that is so it stands to reason that the provincial governor must be reduced to the position either of being unable to maintain his administration or of rendering nugatory the stipulations which deprive his exchequer of the funds necessary to the government of his province. Either course will bring him into collision with the central government, but the latter course is so far the less serious from a national point of view that he naturally adopts it. The result is to place the central government on the horns of a dilemma—either it must compel compliance with stipulations, the carrying out of which may ruin the province, or it must acquiesce in, and if needs be defend, the infraction of an engagement it has itself entered into. This state of affairs naturally results in loss of prestige and power to the Government, in charges being brought against it of bad faith, and in constant disputes with foreign powers, as the history of foreign intercourse with China during the past years clearly demonstrates has been the case. And this lamentable state of things will continue so long as foreign nations, looking only to their own self-interest and ignorant or unmindful of the consequences of their demands, insist on China's agreeing to what it is practically impossible for her to carry out.

Second. These transit privileges do not touch the question of lo-ti-shui, or local octroi, and past experience shows that the tendency (for the reasons given above) has been to nullify these privileges by requiring goods covered by transit pass to pay on arrival at the specified destination a differential tax amounting practically to the total of the taxes escaped en route to the province. Is it not then the part of wise statesmanship to abandon trying to insist on the impossible, and instead to agree to terms which will put a not too onerous tax on trade and will remove one of the chief causes of constant friction and bickering?

In a word, so far as foreign trade is concerned, I believe this proposal will remove one of the chief causes of discussion between foreign nations and China, and will tend rather to lighten than to increase the taxation now levied on the merchandise that constitutes foreign trade.

(*b*) *Native trade.*—Every removal of a tax produces a corresponding reduction in the laying-down cost of commodities. It thus acts as a stimulus to trade, and increases the strength of the Government by calling forth the gratitude of the people toward it for action directly tending to promote its well-being. That the free interchange of products throughout the Empire would largely develop general prosperity, lower prices, and promote consumption, there can be no doubt. Thus the Government would be strengthened, the people enriched, and foreign trade benefited.

(*c*) *Chinese Government.*—The collection reported by the various provinces on account of likin and lo-ti-shui amounts to a maximum sum of taels 16,000,000 annually. It is proposed, in order to win the support of viceroys and governors to the scheme, to allot to each province from the Chinese collection the full amount reported, together with an allowance in addition of 25 per cent, or 20,000,000 taels in all. The proposal would then work out as follows:

	Taels.
The foreign customs revenue for 1899 amounted to	26,660,000
From this must be deducted opium already subject to special taxation which produced	7,540,000
	19,210,000
Further, tonnage dues would not be affected by this arrangement; they must therefore be deducted	640,000
	18,570,000
Lastly, transit dues and reimport duties would no longer be leviable; deducting these	2,000,000
There remains	16,570,000
If the treaty tariff be quadrupled, the collection would amount to	66,280,000
Add opium duty and likin as at present	7,450,000
Add native customs transferred to foreign inspectorate	10,000,000
Total	83,730,000
Deduct cost of collection, say	4,730,000
Net	79,000,000

This compares with present receipts approximately thus:

	Taels.
Foreign customs, net	23,500,000
Likin and lo-ti-shui	15,500,000
Native customs	5,000,000
	44,000,000
An approximate increase of	35,000,000

The disbursements to be provided for under present conditions are:

For service of loans now existing	23,500,000
To pay provincial treasuries amount of likin and lo-ti-shui, with allowance of 25 per cent increase	20,000,000
	43,500,000
Leaving a balance for Government purposes of	35,500,000

If, as it is rumored, foreign nations exact an indemnity of $200,000,000 gold, an annual sum of at least 24,000,000 taels will be required for the service of the necessary loans; but 11,500,000 (some £1,875,000) would thus remain to meet the needs of the Government. To exact an indemnity of $200,000,000 gold, without assenting to the proposed plan would plunge the Empire into bankruptcy; to exact more, even if that plan be assented to, would render the introduction of necessary reforms in the administration impossible, even if the Empire were not reduced to penury. To adopt this scheme and confine the indemnity to, at the most, $200,000,000 gold, would, I feel confident, strengthen the Government, impose no increased taxation

on foreign trade, remove all difficulties as to navigation of inland waterways, eradicate most of the causes of friction with foreign powers, and facilitate internal commerce—not unimportant steps toward peaceful and satisfactory relations with this great Empire.

ALFRED E. HIPPESLEY.

DECEMBER 22, 1900.

[Inclosure 4, with instruction 20.]

AMERICAN ASIATIC ASSOCIATION,
New York, January 25, 1901.

The PRESIDENT OF THE UNITED STATES.

SIR: In compliance with the request made by you to a delegation of this association which had the honor of waiting on you on the 3d instant, the executive committee desires me to transmit to you the inclosed memorandum in regard to the revision of the commercial clauses of the treaties with China.

I have the honor to be, yours, respectfully,

JOHN FOORD,
Secretary.

Memorandum on the revision of the commercial treaty with China.

The American Asiatic Association, recognizing the financial necessities of the Chinese Empire, has no objection to offer to the proposed increase of duties on foreign imports. The suggestion which, according to Sir Robert Hart, was formulated last spring by the special commission appointed to consider the subject of tariff revision, is deemed a reasonable one. This was to the effect that the import duty should be fixed at 10 per cent plus 5 per cent transit due, payable simultaneously, coupled with the total abolition of all other taxes on such imports forever after and everywhere. In other words, it is proposed to double the present customs duty on foreign imports, and with it to double the sum charged for transit dues. Assuming that this is all that is intended, and that no attempt will be made, by changing the present method of fixing the ad valorem duties, to subject foreign trade to more than twice the present import rates, the association can see no objection to the acceptance of such a basis of tariff agreement. The suggestion seems to offer all the more satisfactory a solution of the vexed question of inland taxation, since it was only agreed to after consultation with the provisional authorities, and since it was to be accompanied by a stipulation that the General Government was to arrange for the equitable division of the amount so realized between the central and the provisional treasuries.

In approving of such a plan this association is not unmindful of the fact that the inland transportation tax collected under the name of likin has been from the first a most objectionable impost, was devised to meet special conditions of financial necessity, and has been continued in defiance of promises that when the finances of the country had recovered their normal condition the likin should be abolished. But the most serious grievance has been that the agreement in regard to the payment of likin on imports bears a totally different meaning to the Chinese authorities and to the foreign merchants. In the convention between the United States and China for the regulation of trade, concluded November 8, 1858, the undertaking as to likin seems to be expressed with sufficient clearness. It is as follows, the language being identical with that of the agreement concluded between Great Britain and China:

"Merchandise shall be cleared of its transit dues under the following regulations:

"In the case of imports. Notice being given at the port of entry from which the imports are to be forwarded inland of the nature and the quantity of goods, the ship from which they have been landed, and the place inland to which they are bound, with all other necessary particulars, the collector of customs shall, on due inspection made and on receipt of the transit duty due, issue a transit-duty certificate. This must be produced at every barrier station and viséd. No further duty shall be leviable upon imports so certified, no matter how distant the place of their destination."

The association is fully aware of the fact that the British Board of Trade, when John Bright was its president, approved of an interpretation of this rule calculated to deprive it of most of its value to the foreign merchant. Even as modified by the then minister of foreign affairs, Lord Clarendon, in February, 1870, this interpretation was made to read as follows:

"The fair construction which ought, in the opinion of Her Majesty's Government, to be placed on these provisions is that foreign produce may be imported on payment of 5 per cent, and circulated in equal competition with similar Chinese products at

the port and its vicinity, and may be placed at any specified place in the interior, also for the purpose of equal competition with such Chinese produce, on payment of a transit duty of 2½ per cent in addition to the import duty. It can not, they think, be legally contended that there is anything to prevent the Chinese from charging whatever general municipal taxes are leviable on Chinese goods at the port or in the interior equally on foreign goods when once they enter into general circulation and consumption."

The likin stipulation has been applied by the Chinese authorities ever since in this highly elastic sense to the great detriment of the closely related interests of both American and British trade. It was admitted by Lord Granville, in 1883, that the British interpretation has never been recognized by the representatives in China of the Great European powers or the United States, and further, that under other treaties, notably those of France and Germany, it is held that imports which have paid a transit due in addition to an import duty are thenceforth free from all taxation whatever.

The difficulty experienced in the past in making a definite and thoroughly binding bargain with the Chinese Government on the subject of internal taxation must be held to demand the exercise of extreme care on the part of the negotiators of the revised treaties. It has been a constant struggle, attended only with partial success, to compel respect for the validity of transit passes en route; but even when this was accorded, persistent efforts have been made by provincial authorities to indemnify themselves by imposing likin, under another name, at either end of the journey. In southern China, notably, the greatest ingenuity has been shown in subjecting foreign goods to various forms of local taxation. Among these are tso ku (octroi) and loti likin, or tso-li, a kind of destination duty, both calculated to enable the provincial authorities to collect an amount sufficient to reimburse them for the levies they have been obliged to abandon during the transit of the goods.

In any new bargain with China in regard to the taxation of foreign merchandise, strenuous objection ought to be made to the employment of the tax-farming system, under which foreign trade may be made to yield a revenue quite as much for the profit of individuals as for that of the Government. It is a matter of record that in 1891–92, when the Kowloon and Lappa stations took over the collection of likin on kerosene oil previously farmed out they in six months collected, at the farmer's rates, about 75 per cent more than he would have paid into the treasury in twelve months as the price of his monopoly. Not only is the farm system hostile to all treaty agreements, but, as Mr. J. W. Jamieson has pointed out, it is always open for the holder of the monopoly to trade on his own account and thus be able to undersell all competitors. At the root of the whole question is the difficulty of providing for provincial necessities without having recourse to the levy of exactions on foreign trade not contemplated in the treaties. It must therefore be obvious that any bargain with the Central Government which has not had the approval of the great viceroys must be difficult if not impossible of enforcement. This fact has evidently been recognized by the commission, of which Sir Robert Hart is a member, and will no doubt be given due weight by the negotiators appointed by the powers.

This association approves of the policy indicated by the commission on tariff revision of retaining the 5 per cent rate on exports. Cumbrous as the method seems, it is probable that the only practical way to free exports from cumulative taxation is to do away with the right to bring produce from the interior under transit passes, coupled with an undertaking to refund to the exporter at the time of export to a foreign country whatever amounts he had paid on such produce over and above a half tariff rate between the place of purchase and the port of export. In any case, it seems a suicidal policy for China to subject goods intended for export to any but the lightest possible taxation, and it should not be difficult to convince its negotiators that the country's growth in wealth must be largely dependent on the encouragement given to the expansion of its foreign trade.

The fact that the permission given to the steamers, native or foreign, to navigate the inland waters of China has been, so far as foreign flags are concerned, a practically barren one, is mainly due to the power for obstruction possessed by the likin officials. It seems probable that until the collection of both native and maritime customs, as well as all transit taxes, is placed under one hand the utilization of either the grand canal or the great rivers for local steam navigation must be indefinitely postponed. At every point of the discussion of improved conditions for foreign commerce in China there is encountered the dominant question of a reform of the whole fiscal administration of the Empire. Into this larger subject this association has not felt called on to enter, believing that the future fiscal system of China must be controlled by considerations which, while vitally important to commerce, can not be regarded as purely commercial either in character or origin.

JOHN FOORD, *Secretary.*

JANUARY 25, 1901.

Mr. Hill to Mr. Rockhill.

No. 30.] DEPARTMENT OF STATE,
Washington, July 20, 1901.

SIR: I have to acknowledge the receipt of your dispatch No. 107, of the 5th ultimo, containing a report on the punishment of the Chinese provincial officials and others guilty of crimes against foreigners during the troubles of last year.

The dispatch and its inclosures have been read with much gratification.

Your action in carrying out the President's instructions to oppose the shedding of any more blood, and which resulted in limiting the capital sentences to four persons, and in the reduction of the punishment of others, is approved by the Department.

I am, sir, etc.,

DAVID J. HILL,
Acting Secretary.

Mr. Rockhill to Mr. Hay.

No. 109.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, June 6, 1901.

SIR: For convenience of reference I inclose herewith copies of all the correspondence down to the present date exchanged between the representatives of the powers and the Chinese plenipotentiaries in reference to the suspension for five years of official examinations in all towns in which foreigners were massacred or cruelly treated during last year's troubles.

The only serious obstacle in the way of a complete settlement of this question is the British minister's refusal to agree to allow the metropolitan examinations to be held and candidates from provinces in which no antiforeign trouble occurred to come up for them.

I hope the British Government will finally agree with the other powers that to allow these last-mentioned examinations within the limitation mentioned is advisable and just.

I have the honor, etc.,

W. W. ROCKHILL.

[Inclosure.—Translation.]

Mr. de Cologan to the Chinese Plenipotentiaries.

PEKING, *May 29, 1901.*

HIGHNESS AND EXCELLENCY: Carrying out the terms of the conditions contained in the Joint Note of December 22, 1900, which was accepted by His Majesty the Emperor of China, the representatives of the powers have drawn up a list of the cities in which, foreigners having been massacred or been subjected to cruel treatment, in accordance with Article II, paragraph *b*, all official examinations shall be suspended for five years.

I have the honor to transmit to you herewith this document and to request you, in the name of my colleagues, to be pleased to ask His Majesty the Emperor of China to issue an Imperial decree suspending all official examinations during five years in the towns mentioned in the list, and in which foreigners were massacred or were subjected to cruel treatment.

I avail myself, etc.,

B. J. DE COLOGAN.

List of places where examinations are to be suspended.

Province of Shansi: Tai Yuan Fu, Hsin Chou, Tai Ku Hsien, Ta Tung Fu, Fen Chou Fu, Hsiao I Hsien, C'hu Wo Hsien, Ta Ning Hsien, Ho Ching Hsien, Yueh Yang Hsien, Shuo Ping Fu, Wen Shui Hsien, Shou Yang Hsien, Ping Yang Hsien, Chang-Tzu Hsien, Kao Ping Hsien, Tse Chou Fu, Hsi Chou, P'u Hsien, Chiang Chou, Ping Yao Hsien, Lu Cheng Hsien, Lu An Hsien, Hung Tung Hsien, Kuei Hua Cheng, Sui Yuan Cheng.

Province of Honan: Nan Yang Fu, Ho Nei Hsien, Chang Chou, Kuang Chou, Chen Chou Fu, Chun Hsien, Nei Huang Hsien, Chang Te Fu, Tai K'ang Hsien, Hsiang Cheng Hsien, Si Hua Hsien.

Province of Chekiang: Chü Chou.

Province of Chihli: Pao Ting Fu, Yung Ching Hsien, Tientsin Fu, Shun Te Fu, Wang Tu Hsien, Huai Lu Hsien, Hsin An Hsien, Tung Chou, Kalgan, Chao Yang Hsien, Tung An Hsien, Tsang Chou, Tsun Hua Chou, Chi Chou, Wu I Hsien, Ching Chou, Luan Ping Hsien, Ho Chien Fu.

Province of Shantung: Tai An Fu, Lin Ching Chou.

Eastern Manchurian provinces: Moukden, Chia Tzu Chang, Lien Shan, Tzu Ching Chieh, Pei Lin Tzu, Hu Lan Cheng.

Province of Shensi: Ning Chiang Chou.

Province of Kiangsi: Po Yang Hsien.

Province of Hunan: Heng Chou Fu, Ching Chuan Hsien.

Shun T'ien Fu (Peking).

[Inclosure 2.—Translation.]

Chinese Plenipotentiaries to Mr. de Cologan.

PEKING, *April 2, 1901.*

YOUR EXCELLENCY: On the 11th day of the 2d Moon of the 27th year of Kuang Hsu (30th of March, 1901) we received from your excellency a dispatch (dated March 29) in which you say that "to carry out the conditions of the Joint Note of the 22d of December, 1900, which was accepted by His Majesty the Emperor of China, the foreign representatives have drawn up a list of the towns in which, in conformity with Article II, paragraph *b*, foreigners having been massacred or subjected to cruel treatment, all official examinations shall be suspended for five years." Your excellency transmits this list with the request, in the name of your colleagues, that His Majesty the Emperor of China, be asked to publish an Imperial decree suspending all official examinations for five years in the towns indicated in this list, in which foreigners have been massacred or have been subjected to cruel treatment.

The suspension of civil and military examinations is a condition provided for by the last paragraph of Article II of the peace protocol drawn up last year, and the said article stipulates that the suspension during five years of the civil and military examinations would only apply to the towns in which people of various countries have been massacred or have been subjected to cruel treatment.

We stated in our memorandum of the 11th Moon of last year (January, 1901) "that the cities and towns in each prefecture, subprefecture, department, and district are very numerous. It will be necessary to ascertain in what cities and towns foreigners have been massacred or been subjected to cruel treatment, when of course action as laid down will be taken. This provision evidently applies to the Sui and Ko examinations. As regards the provincial and metropolitan examinations, these are collective examinations for each province. Should there be in a province cities or towns where foreigners have been massacred or subjected to cruel treatment, separate enquiry, as above mentioned, ought to be made and action taken accordingly. In other cities and towns, not in any way implicated, examinations ought to take place as usual. Such a course of procedure will serve as an exhortation and warning." The representatives of the powers are already fully aware of this.

Notwithstanding this, in the list drawn up of localities in which examinations shall be suspended, the designations have been made by prefectures and districts, and not by towns, and this is a noteworthy amplification of the original text of the last paragraph of Article II. If, for example, in a district there happens to be a town in which foreigners have been massacred or have been subjected to cruel treatment, the suspension of examinations should apply at that town alone, and it would not be proper to exclude from the examinations candidates throughout the entire district.

As regards prefectures, such territorial divisions comprise a number of districts, one remote from the other. In such cases it would be even more impossible to apply the suspension of examinations to a whole prefecture, because this measure is applicable to a town situated within it. Such a mode of procedure would not be logical. If it is alleged that examinations begin with the prefectures and districts, and that there are no special examinations for towns of inferior rank, and for that reason it was only possible to speak of prefectures and districts, such would not be the language of one who was thoroughly conversant with the true condition of things; for when the prefectural examinations, as well as the district examinations, take place, the students of the towns in which examinations have been suspended would not be authorized to have themselves entered for them. All others, however, should take part in these examinations as in ordinary times. The distinction is easily made.

If because in a certain town evil doers have brought about disorders, it would result, if the above plan was followed, that peaceful and honest people living in the other cities would all have to be subject to the suspension of examinations for several years, in which case the sense of the phrase in the memorandum "as encouragement and warning" would be distorted and simply be a warning to evil doers and no encouragement to the law-abiding people. Would such a mode of procedure be equitable and likely to produce a good impression on the population?

We are therefore naturally led to ask the plenipotentiaries of the powers to have drawn up a detailed list giving the towns, and not a general designation by prefectures and districts, in which foreigners have been massacred or have been subjected to cruel treatment. This will be in conformity with the text of article II, and will place us in a position to ask for an edict stating the localities in which examinations should be suspended.

Such is the official reply which we send you, Monsieur le Doyen, requesting you to bring it before the plenipotentiaries of the powers so that they can act accordingly.

[Inclosure 3.—Translation.]

Mr. de Cologan to the Chinese plenipotentiaries.

PEKING, *April 5, 1901.*

HIGHNESS AND EXCELLENCY: I have the honor to acknowledge receipt of your dispatch of 2d of April, replying to the demand which the plenipotentiaries of the powers sent you concerning the execution of Paragraph B of article II of the Joint Note accepted by His Majesty the Emperor of China.

You seem to believe that my colleagues have given to the application of the measure on the principle of which they reached an agreement with you an extension which it does not comport. You invoke in this regard a paragraph of memorandum of the 16th of January in which you formulated observations on the conditions which were imposed on you.

I must call your attention, in the first place, to the fact that the terms of this memorandum have never been accepted by the plenipotentiaries of the powers, who have, on the contrary, reserved to themselves to pursue the integral carrying out of the articles of the Joint Note.

I may add as concerns the particular question which is the object of this dispatch that you misapprehend entirely the intentions which inspired the drafting of the paragraph concerning the suppression of examinations in the towns in which foreigners have been massacred or have been subjected to cruel treatments. The object of this article was to insure, by means to which the Empire has itself sometimes had recourse, the prevention of crimes committed with the assistance and most frequently at the instigation of the literati class. This object would not be attained if the plan which you suggest were accepted, because it would permit the literati to evade the penalty which the representatives of the powers have sought to inflict on them, and to preserve by fraud or by eluding the application of the intended measure the right of which it is intended to deprive them.

My colleagues have consequently decided to insist on the necessity of granting them the satisfaction which they have demanded, and which could only be rendered more stringent if they entered, as you ask them, into a detailed examination of the cities in which the examinations should be suspended, because they would be led, without a doubt, to extend this measure to whole provinces.

I avail myself, etc.,

B. J. DE COLOGAN.

[Inclosure 4.—Translation.]

Chinese plenipotentiaries to M. de Cologan.

PEKING, *May 4, 1901.*

YOUR EXCELLENCY: On the 2d of May we received from the Grand Council at Si-an a telegram stating that the governor of Hunan had wired that by the terms of the Joint Note there shall be a suspension of all official examinations for five years in all the towns where foreigners have been massacred. It appears that in the matter of the missionary cases in Wei Yang and Ch'ing Chuan, in the Hunan Province, these were the result of trouble brought about by rebels and not the literati, and naturally the order of suspension should not apply there. The trouble only occurred in the towns of Huang-sha-han and Chiang-tzu-k'ou, in the jurisdiction of the above-named districts. Even if the examinations were to be suspended, it should only be done at the two towns mentioned where the trouble occurred. The suspension of examinations merely refers to places where the Boxers created trouble last year. This rule should not apply to missionary cases that occurred in other places. If the examinations must be suspended, it would seem necessary to clearly state that the suspension shall apply to the two towns where the trouble occurred, and not involve the whole province. This is important, for the sake of justice and fairness.

Having received the above we would beg to observe that in the matter of the suspension of examinations, correspondence on the subject has passed between the foreign representatives and ourselves, but nothing has been definitely settled. We would embrace the opportunity, however, of again expounding our views in a clear and minute way.

The suspension of examinations for the period of five years refers to the people living in places where disturbances have occurred—the result of the Boxer movement—who can not compete during that time; it has no reference to places where disturbances occurred (not the result of the Boxer movement). Take, for instance, Peking, where last year a revolution took place resulting in loss of life to foreigners of all nationalities. The native scholars resident in the capital are punished by the examinations not being open to them, which is perfectly right and proper. But Peking is the capital of China, and the "Chü-jen" of the various provinces come here to enter the metropolitan examinations. Then, as to the examinations for the second degree in the Shün-t'ien prefecture, we may add that these are open to senior licentiates and students of the imperial academy of the southern, northern, and central provinces. This examination is not confined alone to students of the metropolitan prefecture. If the metropolitan examinations for the third degree and the metropolitan prefecture examinations for the second degree are to be suspended, then in that case the students of all the provinces will not be able to compete for the above degrees, and as the result of the disturbances in many cities and towns the scholars of the Empire would all thus be cut off from entering the official carrier. Besides, it is the illiterate vagabonds who cause trouble, and by such a mode of procedure the peaceable, law-abiding scholars would in like maner be implicated with them. Would this be strictly in accordance with justice? Foreign missionaries are a class associated with the scholars of China, and if the examinations at Pekin are suspended to scholars this would create a feeling of enmity which would not be befitting.

We therefore ask that the examinations be suspended only to persons resident in the places where it is right they should be prohibited, but not to those living in said cities or towns (where disturbances occurred). The examinations of an entire prefecture or district should not be suspended—a discrimination should be made. The suspension of examinations for five years should apply to places where the Boxers created trouble last year; other places should not be affected by this ruling.

In sending this communication to your excellency, we beg that you will confer with your colleagues on this subject and favor us with a reply, in order that a memorial may be sent to the throne asking the issuance of a decree in reference to the places contained in the list forwarded to us some time ago re suspension of examinations.

[Inclosure 5.—Translation.]

Mr. de Cologan to the Chinese plenipotentiaries.

PEKING, *May 11, 1901.*

HIGHNESS AND EXCELLENCY: You asked me in a dispatch, under date 4th of May, to communicate to my colleagues a telegram from the grand council concerning the towns in which examinations were to be suspended during a period of five years, in compliance with article 11 of the Joint Note.

You explain in this connection that according to your opinion the suspension of examinations should consist "in the interdiction for the residents of localities in which troubles have occurred to present themselves at the examinations during a period of five years, and not in the interdiction during five years to allow examinations in localities in which troubles occurred." It is on the contrary this last interpretation which is the correct one. To convince you of this, it is sufficient to consider the text Paragraph B of article II of the Joint Note accepted by His Majesty the Emperor of China. This paragraph is worded as follows:

"Suspension of all official examinations during five years in all the towns in which foreigners have been massacred or subjected to cruel treatments."

You observe, as confirming your explanations, that at Peking in particular the suppression of examinations would work a hardship on people from all the provinces who may not have taken part in the troubles of last year, and you add that those guilty of the disorders were ignorant people and ruffians. You show yourself thus most severe on the princess and high officials whom you have already recognized as responsible for the crimes to which you refer. We entertain grave doubt whether the criminals can be considered as ignorant, though we do not contest that they behaved like ruffians.

Speaking in a general way, it has been, on the contrary, the literati who have always been and who were, particularly last year, the real authors or accomplices of the antiforeign movement, and the Chinese people can only be held responsible, as it were, for having been dragged into the movement.

The representatives of the powers insist, therefore, on the demands which they have made on you, and which are entirely in conformity with article 11 of the note which you have accepted.

I avail myself, etc.

B. J. DE COLOGAN.

[Inclosure 6.—Translation.]

Chinese plenipotentiary to Mr. de Cologan.

PEKING, *May 19, 1901.*

YOUR EXCELLENCY: On the 13th instant we had the honor to receive a communication (dated March 11), in reply from your excellency in regard to the matter of the suspension of examinations for a period of five years. Your excellency states that the real purpose is that the examinations should be suspended for that period at places where disturbances took place. The foreign representatives must, in accordance with the terms of article II of the Joint Note, still adhere to their original views, etc.

In reply, we may observe that the suspension of the examinations for five years to persons in places where disturbances occurred is a most complete way of exposing them to undergo punishment in public. Since the foreign representatives are acting in accordance with the terms of article II of the Joint Note, having relation to the suspension of examinations, we may state that we agree to the suspension at the places named in the list, in accordance with the terms of your excellency's note; hence there is no need for further discussion on that point by us.

We may point out, however, that there are extreme difficulties to overcome as regards the metropolitan examinations at Peking, the examinations for the second degree held in the metropolitan prefecture. These are collective examinations for the scholars of all the provinces and can only be held at Peking. If these examinations are not to be allowed, then, on account of trouble caused by persons in, say, one or two provinces, the scholars of twenty-two and more provinces will suffer by their suspension. Really this means the examinations for the whole of China, and would not seem to be fair and just. The provincial examinations in Shansi are held, according to law, at Tai-yuan Fu. It is estimated that in the troubles in Shansi, taking the departments and districts of the whole province where foreigners were massacred, that only one-fourth of the province is concerned. If the examinations are to be suspended at Tai-yuan Fu, then that would mean the suspension of the provincial examinations for the whole province, and if no provincial examinations are held, then the students will have no way of competing at the metropolitan examinations. Suspension should be at the places where trouble occurred and not every place. It would be no easy matter to be reconciled to this method of procedure. We believe it is not by any means certain that the views of the foreign representatives are not with us in this matter. Therefore the metropolitan examinations at Peking, and the provincial examinations at Shun-tien Fu and Tai-yuan Fu should be carried on as heretofore, and not suspended for five years.

Further, it appears that in Ho Chien and Tsang Chou, in Chihli, no massacre of foreigners took place. The missionaries know this to be the case. Examinations at these places should not be suspended.

We had already prepared a memorandum on the above subject, but we did not send it to your excellency. We therefore send this communication to your excellency and will thank you to confer with your colleagues on the subject here presented and favor us with a reply at an early date.

[Inclosure 7.—Translation.]

Mr. de Cologan to the Chinese plenipotentiaries.

PEKING, *May 28, 1901.*

HIGHNESS AND EXCELLENCY: In reply to your dispatch of 19th of May concerning the examinations, I am requested by my colleagues to inform you that they insist on their demand concerning the suspension of provincial examinations at Tai-yuan Fu and at Shun-tien Fu. They reserve to themselves to study later on the question of the metropolitan examinations.

As to your observations concerning Tsang Chou, the diplomatic corps has recognized that they are well founded, and consents to strike this locality off the list.

It has also requested me to transmit to you a list of localities in which, for the same reasons, there is no occasion to suspend examinations.

Regarding Ho-chien Fu, the diplomatic corps will secure information, of which I will communicate later on to you the result.

In reply to another communication of your highness and your excellency under date the 25th of May, I hasten to inform you that the locality in the province of Shensi, which had been designated under the name Ping-yang Hsien, is in realty Ping-yuan Fu.

I avail myself of this opportunity, etc.,

B. J. DE COLOGAN.

Mr. Hill to Mr. Rockhill.

No. 29.] DEPARTMENT OF STATE,
Washington, July 20, 1901.

SIR: I have to acknowledge the receipt of your dispatch No. 109, of the 6th ultimo, inclosing a copy of all the correspondence down to that date exchanged between the representatives of the powers and the Chinese plenipotentiaries in reference to the suspension for five years of official examinations in all towns in which foreigners were massacred or cruelly treated during last year's troubles.

Your action in the matter is approved by the Department.

I am, sir, etc.,

DAVID J. HILL,
Acting Secretary.

Mr. Rockhill to Mr. Hay.

No. 110.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 8, 1901.

SIR: I have to honor to transmit herewith for your information a list of the indemnities asked until the 1st of July, 1901, prepared by the committee on the payment of indemnities. The letter of Mr. von Mumm accompanying it states that it is the opinion of said committee that the total, which is provisionally given as haikwan taels 462,538,116.22, will not, when adjusted, exceed 450,000,000 of taels.

I am, etc.,

W. W. ROCKHILL.

[Inclosure.—Translation.]

Mr. A. von Mumm to the Representatives of the powers.

PEKING, *May 28, 1901.*

GENTLEMEN AND DEAR COLLEAGUES: In compliance with the proposal made by his excellency the minister of Russia, in the forty-seventh meeting, the commission on indemnities has been directed to draw up a list of the indemnities asked until the 1st of July, calculated in haikwan taels at the rate of April 1, 1901.

As president of said commission, I have the honor to communicate herewith the desired list, begging my honorable colleagues to be pleased to indicate any errors which may occur in it.

The rate on the first of April, 1901, was, according to information derived from the Hongkong and Shanghai Banking Corporation:

	Haikwan taels.
1 mark	0.3773
1 krone	.2782
1 dollar	1.3629
1 franc	.2645
1 pound sterling	6.6783
1 yen	.7105
1 ruble	.7082

The demands of Spain and the Netherlands having been submitted in haikwan taels, it was not necessary for the commission to figure either the rate of the peseta or that of the Dutch florin.

Since, according to unofficial information, the sum of 4,000,000 taels figures on the lists of two legations, and since the claims of societies and private individuals in the case of most of the legations are put down without any count being taken of probable or even certain reductions, the commission on indemnities is of opinion that the sum of 450,000,000 haikwan taels will not be exceeded up to the first of July of the present year.

Please accept, etc.,

A. VON MUMM.

Country.	Gouvernemental.	Private claims.	Together.	Total.	Remarks.
		Haikwan taels.	*Haikwan taels.*	*Haikwan taels.*	
Germany	[1]255,600,000.00	[2]7,705,843.00	83,581,200.00 7,705,843.00	91,287,043.00	Claims received by German legation exclusive of reductions and interest.
Austria-Hungary	[3]14,240,000.00	20,800.00	3,958,720.00 20,000.00	3,979,520.00	
Belgium	[4]31,000,000.00 175,000.00		8,199,600.00 124,250.00 284,000.00	8,607,750.00	Exclusive of interest.
Spain	[5]120,000.00	[2][6]144,090.00 38,592.22 [8]110,000.00	125,373.00 262,682.22	388,055.22	
United States	[9]25,000,000.00			34,072,600.00	As a lump sum.
France	[4][2]286,500,000.00			75,779,250.00	93,000,000 francs are for private claims (W. W. R.)
Great Britain	[10]5,285,933.00	[2]9,824,856.00	41,839,173.00 9,824,856.00	51,664,029.00	
Italy	[4]77,000,000.00	5,635,844.00	20,366,500.00 6,747,429.00	27,113,927.00	
Japan	[11]47,574,000.00	[11]2,500,000.00	33,777,540.00 1,775,000.00	35,577,577.00	
Netherlands	[5]492,763.15	307,236.85		800,000.00	
Russia	[12]177,000,000.00	78,000,000.00	125,316,000.00 8,000,000.00	133,316,000.00	
Total				452,538,116.22	

[1] Marks.
[2] Provisionally revised and including one year's interest.
[3] Kroners.
[4] Francs.
[5] Haikwan taels.
[6] International claims subject to reduction.
[7] Not revised.
[8] Swedish claims.
[9] Gold.
[10] Pounds.
[11] Yen.
[12] Rubles.

Mr. Rockhill to Mr. Hay.

No. 112.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 8, 1901.

SIR: I have the honor to inclose herewith copy of a note which I sent to-day to the dean of the diplomatic corps asking him to communicate to the represenatives of the powers the formal suggestion of the United States to submit the question of the indemnity to be asked of China to the Arbitral Tribunal of The Hague.

* * * * * * *

Since my telegram to you of the 6th instant no other powers save those therein indicated have informed the conference that they agree to limit their claims to July 1 and will accept 4 per cent interest. I am informed by the French minister that his Government accepts the limitation of the indemnity to 450,000,000 taels, but he has not stated that it accepts the interest specified. France's acceptance is, furthermore, conditional on the agreement of the powers to a jointly guaranteed loan. Russia, I have reasons to believe, entertains exactly the same views.

The Japanese minister tells me that his Government can not agree to 4 per cent interest, as it can only borrow at 5 per cent.

The moment is the best, I think, I could have chosen for the formal submission of your proposal.

I am, etc., W. W. ROCKHILL.

[Inclosure.—Translation.]

COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, June 8, 1901.

MONSIEUR LE MINISTRE ET CHER DOYEN: During the negotiations my predecessor and I have on several occasions had the honor to inform our honorable colleagues that our Government hoped that in case the powers should unfortunately be unable to reach an agreement on the question of the indemnity to be asked of China they would be able to agree to submit this question to the Arbitral Tribunal of The Hague.

In view of the apparent impossibility of reaching a settlement of this question satisfactory alike to all the powers, my Government, in the hope of hastening its solution, has ordered me to formally propose to the representatives of the powers to submit it to the Arbitral Tribunal of The Hague.

Begging you, Monsieur le Ministre et cher Doyen, to lay the proposition of my Government before the representatives of the powers, who will be pleased to take it in consideration, I avail myself of this occasion to renew to you the assurance of my highest consideration.

W. W. ROCKHILL.

Mr. Hill to Mr. Rockhill.

No. 28.] DEPARTMENT OF STATE,
Washington, July 20, 1901.

SIR: I have to acknowledge the receipt of your dispatch, No. 112, of the 8th ultimo, inclosing a copy of your note of that date to the dean of the diplomatic corps asking him to communicate to the representatives of the powers the formal suggestion of the United States to submit the question of the indemnity to be asked of China to the Arbitral Tribunal of The Hague.

Your action in the matter is approved by the Department.

I am, sir, etc.,

DAVID J. HILL,
Acting Secretary.

Mr. Rockhill to Mr. Hay.

No. 114.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, June 11, 1901.

SIR: The diplomatic corps held a meeting to-day to consider the question of the revenues to be set apart by China for the payment of the interest and amortization of the indemnity debt, the discussion of this subject having been suspended sometime ago on account of great divergence of views between the various representatives.

The French minister stated to-day that he was authorized by his Government to examine the resources of China best suited to this purpose; that his Government believed that revenues which could be placed under the control of the Chinese Maritime Customs presented the best guaranty, and that it would, therefore, be pleased to see the tariff on imports increased to 10 per cent. If, however, this could not be, the French Government was willing to accept the revenue derived from the salt gabelle, which had been offered for this purpose by the Chinese plenipotentiaries in their note of May 11, 1901, copy of which I inclosed you in my dispatch, No. 86, of May 16.

The Russian minister stated that he had the same instructions; that his Government also desired an increase of the tariff on imports, but would accept the revenue offered on the salt, on condition that in case the payments on account of interest on the indemnities were not regularly made, the powers would consider the eventual increase of customs dues on imports up to 10 per cent, the increase derivable from this source to be entirely affected to the payments on account of the new debt.

I stated that the Government of the United States agreed with the French and Russian Governments in considering that the best possible security for the payments on account of the loan would be revenues placed under the control of the Maritime Customs, and that it would agree to an increase of the tariff to 10 per cent on the following conditions:

First. General revision of the tariff and conversion of ad valorem into specific duties.

Second. Removal of the prohibition on the exportation of rice.

Third. Abolition of all likin, including transit dues and all inland taxation of every kind on all foreign imports.

Fourth. Revision of the tariff of likin charges on native produce destined for exportation, especially tea, raw cotton, and silk, and other important articles of export trade; and

Fifth. Participation by the Chinese Government in improvements of the waterways leading to Shanghai and Tientsin.

These suggestions of mine had been made known to the representatives of the powers a few days ago, in a memorandum which I had submitted to them individually, a copy of which I inclose herewith for your consideration.

The Japanese minister fully approved of the suggestions contained in my proposal, and submitted the advisability of an international committee being appointed to carry out the revision of the tariff on the lines indicated by me. Until the completion of the work of this committee import dues would be levied on an ad valorem basis.

The British minister objected to any partial reduction of the likin. His Government, he said, would only consider the total abolition of the whole system, besides a number of other compensations, including

river improvements on the Shanghai and Tientsin rivers, and also on the Yangtze, protection of trade-marks, and probably other questions, as compensation for the increase of import duties to 10 per cent. He objected, furthermore, to my proposition for the reason that part of the likin was already pledged for the payments on account of the Anglo-German loan of 1898, and that the transit dues, of which I ask suppression, were also hypothecated with the general revenues of the customs.

He contended also that the elevation of the tariff on imports would not supply sufficient revenues to pay the annual sums needed, which will amount to a little under 19,000,000 taels. The salt revenue offered by the Chinese Government seemed to him to be the best fund to apply to this purpose, and offered sufficient security.

In view of the strong opposition I met with on the part of the British minister to consider any partial abolition of the likin, and of the general disinclination on the part of all my colleagues to avail themselves of the opportunity offered them now to settle any of the questions affecting trade, I felt compelled to accept the revenues offered us on the salt gabelle, to wit, 11,000,000 taels a year. These, added to the amount which will probably be derived from the native customs at the treaty ports when placed under control of the Maritime Customs, plus the available balances in the hands of the Maritime Customs, will make up a sum of 17,000,000 taels a year.

All the ministers agreed, furthermore, with the exception of myself, to raise the tariff on imports to 5 per cent effective ad valorem. This will give about 2,000,000 taels a year additional. This I declined to agree to, and stated that the commercial compensations we would ask would be the same as if the tariff were raised to 10 per cent. Finally, to bring the matter to a close, I agreed to accept, subject to your approval, and as compensation for our accepting a 5 per cent effective:

1. That the present customs dues on imports should be converted from ad valorem into specific ones, and that an international commission should be appointed for this purpose; pending the results of this work all customs duties on imports shall continue to be levied on ad valorem basis;

2. The improvement of the waterways leading up to Shanghai and Tientsin, with the financial participation in this work of the Chinese Government; and

3. That the regulations at present in force concerning inland navigation by foreigners for purpose of trade should be revised so as to open this trade to all classes of shipping.

This latter provision met with the strongest opposition from the Russian minister, who opposed it because it tended to reopen discussion at a moment when it was most desirable to bring negotiations to a close. * * * The revision I asked for would be of great value to Great Britain, Germany, France, and Japan, and would tend to improve trade generally. I inserted it more to secure the support of my colleagues from those countries on the other points than for any direct advantage our trade would derive from it. * * *

The revision of the tariff on the lines indicated is one of the desiderata you mentioned to me in your telegram of April 11 last, as is also the revision of the inland navigation rules and the conservancy work on the rivers. I trust, therefore, that my action may meet with your approval. I regret deeply, however, that more could not be done for

trade interests at the present moment, but all my colleagues are instructed to keep the settlement of the indemnity question separate from commercial ones. This, of course, will ultimately prove detrimental to a satisfactory settlement of the latter, for a powerful leverage on China will be lost.

The Russian minister submitted his proposal concerning the eventual increase of the tariff on imports in the following terms, which met with no objection from the representatives of the powers, and which I submit to you, subject to your approval. It is as follows:

The diplomatic corps proposes that in case of irregularity in payment on the part of China the deferred payments on account of the loan shall be guaranteed by the eventual raising of the customs dues on imports up to 10 per cent. In this case the increase of revenue thus produced would be entirely applied to the loan.

It is nevertheless understood that each Government shall have the right to formulate its reserves when the discussion of the eventual increase of the duties on imports above 5 per cent ad valorem is about to be undertaken.

I have the honor, etc., W. W. ROCKHILL.

[Translation.]

Memorandum presented to the Diplomatic body by the United States Plenipoteniary.

The commission charged with studying the question of the payment of indemnities, after devoting its attention to an examination of the various Chinese revenues which might be used for that purpose and inquiring into the methods of administration and the possibility of exercising any control over them, expressed the opinion that "le revenu le plus sûr de la Chine est constitué par les douanes maritimes sous le controle d' une administration étrangère. Les événements de 1900 en ont montré la solidité." * * *

If, as is the case, other Chinese revenues than those collected by the maritime customs must be applied to the payment of the interest on the indemnities, and if the powers remain absolutely opposed to any foreign interference in the administrasion of China's revenues, then the only guaranty we can possibly get, and guaranty we should have, that the pledged revenues will be honestly collected and devoted to the purpose of the debt, is to place them under the absolute control of this reliable service.

The representatives of the powers and the Chinese Government are in agreement that the customs duties on native shipping shall be collected and the service generally managed at all open ports by the maritime customs. It is confidently expected that in their hands this revenue will amount to nearly 5,000,000 taels, which, if we may judge by the success which has attended its collection at Kowloon and Lappa by the foreign customs, may be still considerably increased, perhaps doubled or trebled, within a few years.

It has been furthermore suggested by the Chinese Government, and most of the representatives of the powers accepted the suggestion—in principle at least—that the customs tariff on foreign imports should be raised to an effective 5 per cent ad valorem. But if this measure were agreed to by all the treaty powers, it would still only produce a fraction of the sum annually needed to meet the payments on account of interest on the indemnities—over 65 per cent of the amount would still have to be provided for.

Another suggestion made is that the customs dues on imports should be raised to 10 per cent. Basing the calculation on the average returns for the last three years (1898–1900), and excluding from its operation rice and opium, we find this would probably yield an annual increase of 11,500,000 taels, which, added to the unassigned balance of revenue of the Maritime Customs, plus the customs on native shipping, would produce very nearly 18,000,000 taels a year, the amount which will probably be needed for the payments on account of interest on the indemnities. If this amount should fall short in the next few years, while the administration is being organized, it is always possible to take the small balance needed from the salt gabelle, or such other source as the Chinese Government might agree to pledge for this eventuality. But, for the reasons stated above, this seems highly improbable, and it is expected that a large surplus will be derived from these sources in a few years.

The raising of the import duties to an effective 5 per cent ad valorem, or to 10 per cent, is, however, opposed by some of the powers and by the whole foreign mercantile interests, unless offset by the removal by the Chinese Government of some of the obstacles in the way of trade extension.

The principal desiderata of the foreign commercial world are:

First. Abolition of all likin, or if that can not be secured, the reform of the likin administration and the regulation of likin dues.

Second. Revision of the tariff and the substitution of specific for ad valorem duties.

Third. Revision of the regulations now in force for the navigation of inland waters by foreign ships for purposes of trade.

Fourth. Improvement of the waterways giving access to the more important commercial cities.

Should the powers agree to an increase of the tariff on imports to 10 per cent, it is suggested that the following compensation be insisted on from the Chinese Government:

First. General revision of the tariff, and conversion of ad valorem into specific duties.

Second. Removal of the prohibition on the exportation of rice.

Third. Abolition of all likin, including transit dues and all other inland taxation of every kind on all foreign imports; opium to remain subject to the duties and charges now imposed on it.

Fourth. Revision of the tariff of likin charges on native-owned produce destined for exportation, especially tea, raw cotton, silk, silk cocoons, and other important articles of trade.

Fifth. The participation by the Chinese Government in the works needed to improve the waterways leading to Shanghai and to Tientsin. The annual quota of the expenses for such works to be borne by China shall be paid out of the revenues pledged for the payment of the 1900 indemnities, but if these are at any time insufficient for that purpose, the Chinese Government shall pledge itself to make good the sum out of any other unassigned revenues it shall see fit to use for that purpose.

W. W. ROCKHILL.

PEKING, *June 4, 1901.*

Mr. Hill to Mr. Rockhill.

No. 31.] DEPARTMENT OF STATE,
Washington, July 24, 1901.

SIR: I have to acknowledge the receipt of your dispatch, No. 114, of the 11th ultimo, reporting the proceedings of a meeting of the diplomatic corps held on that date to consider the question of the revenues to be set aside by China for the payment of the interest and amortization of the indemnity.

Referring to the discretion in the matter of customs duties and other revenues, which was given you by telegram of the 12th ultimo, which telegram you acknowledged in your unnumbered dispatch of the 17th ultimo, I have to inform you that your action at the meeting has the Department's general approval.

I am, sir, etc.,

DAVID J. HILL,
Acting Secretary.

Mr. Rockhill to Mr. Hay.

No. 115.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 12, 1901.

SIR: I have the honor to transmit herewith for your information a translation of the note addressed by the dean of the diplomatic corps to the Chinese plenipotentiaries concerning the carrying out of Article IV of the Joint Note which provides for the erection of expiatory

monuments in the foreign cemeteries in China which were desecrated last year; also of the reply of Chou Fu, treasurer of the province of Chih-li, stating the steps which it is proposed to take to settle the matter.

Exclusive of the cemeteries desecrated at Pekin, mentioned in the latter note, there is, I understand, one at Hsüan-hua Fu, in this province. This will be stated in the reply to the latter note by the Dean, and the matter will be promptly settled.

I am, etc., W. W. ROCKHILL.

[Inclosure 1.—Translation.]

M. de Cologan to the Chinese Plenipotentiaries.

PEKING, *March 29, 1901.*

YOUR HIGHNESS AND YOUR EXCELLENCY: I have the honor to notify your highness and your excellency of the following resolution unanimously adopted by the representatives of the powers concerning the carrying out of Article IV of the Joint Note accepted by His Majesty the Emperor of China:

"A sum of 10,000 taels should be paid by the Chinese Government for each one of the cemeteries situated in the capital and which have been desecrated, and 5,000 taels for each one of those which may be in the same case and situated in the provinces. These sums shall be paid without prejudice to those which shall furthermore be claimed for material losses resulting from the profanation of the cemeteries."

It is understood, on the other hand, that the legations interested would transmit to you directly the list of cemeteries in which they have, for their part, to see to the erection of expiatory monuments, and it is to these legations that your highness and your excellency will have to pay the sums mentioned in the resolution I transmit to you.

I avail myself, etc. B. J. DE COLOGAN.

[Inclosure 2.]

Memorandum by Chou Fu on the money to be paid by the Chinese Government for the erection of expiatory monuments in the cemeteries desecrated—Sent to M. de Cologan, dean of the Diplomatic body.

I have received a communication from the Chinese plenipotentiaries stating that they had received a dispatch from your excellency to the effect that a resolution had been adopted by the representatives of the powers concerning the carrying out of Article IV of the Joint Note as follows:

"A sum of 10,000 taels should be paid by the Chinese Government for each one of the cemeteries situated in the capital and which have been desecrated, and 5,000 taels for each one of those which may be in the same case and situated in the provinces. These sums shall be paid without prejudice to those which shall furthermore be claimed for material losses resulting from the profanation of the cemeteries. It is understood, on the other hand, that the legations interested would transmit to you directly the list of the cemeteries in which they have for their part to see to the execution of expiatory monuments, and it is to these legations that your highness and your excellency will have to pay the sums mentioned in the resolution I transmit to you."

It appears that of the cemeteries which were desecrated in the capital there are five of the French outside of the Fou Cheng gate at Teng Kung, Cha-la and Cheng Fu Ssu, and the sum to be paid is 50,000 taels. There is a cemetery of the British outside of the western wicket gate, and the sum to be paid is 10,000 taels. Further, 10,000 taels is to be paid for the desecration of the Russian cemetery outside of the An Ting gate.

Some time ago I had an interview with Sir Ernest Satow, the British minister, and M. Pichon, the French minister, and it was ascertained by me that the money to erect expiatory monuments in the British and French cemeteries should be sent to the British and French legations. These amounts are not included in the

indemnity. I do not know as yet what cemeteries were desecrated at Tung Chou, Tientsin, and in the provinces. I am charged with arranging missionary cases, and these are nearly settled. I propose to request the Chinese plenipotentiaries, Prince Ching and Li Hung-chang, to memorialize the Throne, asking that the money be appropriated for the erection of expiatory monuments in the cemeteries in the capital, and thus settle these cases. I do not know when the list (referred to above) from the representatives of the powers will be sent or whether the matter will be left to me to investigate and request an appropriation to meet the claims.

I ask that your excellency will confer with your colleagues in this business and favor me with a reply. I ask, furthermore, that the amounts necessary for repairs to the cemeteries shall be included in the amount for indemnity.

Mr. Rockhill to Mr. Hay.

No. 116.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 13, 1901.

SIR: I have the honor to transmit herewith, for your information, copies of the correspondence exchanged between the representatives of the powers and the Chinese plenipotentiaries concerning the carrying out of the terms of Article VII of the Joint Note, which provided for the creation of a defensible diplomatic quarter in Peking, within the limits of which the Chinese were not to reside. (Inclosures 1–5.)

As the question now stands, the Chinese Government has agreed to cede the right of occupancy of all the ground owned by it or its subjects within the limits indicated to the powers collectively, to form a defensible diplomatic quarter, undertaking, furthermore, to compensate its subjects whom it may have to expropriate for that purpose.

The representatives of the powers directly after the occupation of the city by the foreign forces reached an agreement among themselves as to the ground each required for the extension and defense of their respective legation or for the erection of a new one, the legally vested rights of foreign private owners within the limits being, of course, recognized.

The action of the representative of the United States was reported to you by Mr. Conger in his dispatch No. 438, of November 3, 1900, and No. 558, of March 4, 1901.

In the former dispatch Mr. Conger says that he presumes that under our policy the land set aside in the aforesaid arrangement between the foreign representatives, if taken by the United States, "will be paid for either to the Chinese owners or credited upon account against the Chinese Government for indemnity."

A commission composed of interpreters of legations and delegates appointed by the Chinese plenipotentiaries was organized at the request of the foreign representatives (see inclosures 6–11), and has been for some time past occupied in examining and recording the proofs of ownership of Chinese subjects to land within the diplomatic quarter, and to whom the Chinese Government is to pay an indemnity for their property.

The United States might, if it sees fit, credit the Chinese Government with such sums as it may ultimately pay under the decision of this commission to Chinese property owners within the limits of our section of the diplomatic quarter. This method seems preferable to buying directly from the present owners of this ground, which course seems, at present at least, very difficult to follow. The former plan appears also

to conform to your instruction to me that the sum demanded of China ($25,000,000) covered all claims of whatever nature.

In his dispatch No. 558, of March 4 last, Mr. Conger says that—

> he has designated tracts in the vicinity of the legation's present residence which will be ample for the purposes of a new legation. * * * It is, however, probable that in the portion of the quarter allotted to the United States legation there will be a few desirable lots beyond the requirements of the legation, which, of course, citizens of the United States have the first right to purchase.

Unless the Chinese Government makes a complete cession or lease in perpetuity to the power sof this quarter of the city, the latter, it seems to me, can not put it to any use but that specified—legations and the purposes of their defense. Should any one of them at any time decide not to occupy the whole of the section of the quarter set aside by mutual arrangement between the powers for its use, the property must revert to the other powers for their use, the title always remaining in the Chinese Government. Under the present arrangement the United States Government might allow occupancy to its nationals of a portion of its section for such purposes as it might deem necessary or expedient. I note, however, the Department's views on this subject contained in the last paragraph of its instructions to me—No. 23, of May 3, 1901.

For the above reasons it would seem that the legation is wrong in supposing that citizens of the United States have the right to buy such lots in the American section as may not be needed for its use.

I respectfully request that this legation be instructed at as early a date as possible as to your views on the following points:

First. Will the United States Government credit the Chinese Government on the amount of the indemnity with the amount paid by it to its expropriated subjects within our section of the quarter, or does it wish to buy directly from the owners?

Second. Does the Government wish that a formal cession should be made by China to it of the ground comprised in our section of the diplomatic quarter?

Third. What disposition do you wish made of the land within our section not necessary for legation purposes?

I am, etc.,

W. W. ROCKHILL.

[Inclosure 1.—Translation.]

Mr. de Cologan to the Chinese Plenipotentiaries.

PEKING, *March 1, 1901.*

HIGHNESS AND EXCELLENCY: Article VII of the Joint Note accepted by His Majesty the Emperor of China grants to each power the right to organize a permanent guard for its legation and to make defensible the diplomatic quarter, in which Chinese shall not have the right to reside.

In your memorandum of the 16th of January you were pleased to ask us concerning this subject where would commence and where would finish the diplomatic quarter.

You add: "The Government offices and public buildings which may happen to be situated within it should be left outside its limits. This quarter should he delimitated with us, so that we may ask the inhabitants to leave it." I have the honor to inform you that the representatives of the powers have fixed the limits of the diplomatic quarter by the following lines, as is indicated in the annexed plan:[1]

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[1] The plan referred to is attached to the Final Protocol (see p. —).

To the west line *a, b, c, d,* drawn from the foot of the wall; to the north line *d, e, f,* drawn along the base of the wall of the Imperial City, and the line between the letters *f* and *g;* to the east line *g, h,* drawn to the east of the Ketteler strasse (Great court of the Hata-men); to the south line *h, a,* drawn along the outside of the wall of the Tartar City and following the bastions.

The representatives of the powers have decided, furthermore, that you should be informed that the governmental and public buildings on ground within these limits should be transferred elsewhere.

I reserve to myself to inform you later, in the name of my colleagues, of the compensations which will be proposed for the Chinese who must leave this quarter and whose lots will be expropriated by the various legations.

I avail myself of this opportunity, etc.,

B. J. DE COLOGAN.

[Inclosure 2.]

Translation of a memorandum presented by Prince Ching and Li Hung Chang, conjointly, on the subject of the legation quarter, dated March 2, 1901.

On the 1st instant we received a communication from the doyen, accompanied by a plan, stating that the foreign representatives had decided upon the area to be set apart as the legation quarter, and defined the four boundaries of the same; that the public offices and buildings therein situated must be transferred elsewhere, and that the question of compensating the Chinese inhabitants thereof, who must also remove themselves and who are to be expropriated, is reserved for a subsequent communication.

As regards the Chinese residing in this quarter who have to remove themselves elsewhere, it is, in the interest of justice and equity, imperative that later on regulations for indemnifying them in respect of their removal, expenses, and the value of their land be drawn up.

In the memorandum of February 5, which we handed to you, we asked for particulars as to where the legation quarter commenced and where it ended. We stated that all offices and buildings situated therein ought to be considered part of the same, and pointed out the necessity of having a joint delimitation of its boundaries.

A careful perusal, however, of the plan accompanying the Doyen's communication shows us that the Tang Tzu, important ground where the Emperor is wont to sacrifice, has been included within the limits, which also embrace the following public offices and buildings:

The Imperial clan Court, the Boards of civil office, revenue, rites, war and works, the Mongolian Superintendency, the Hanlin College, the Imperial supervisorate of instruction, the Court of the Imperial stud and of state ceremonial, the Imperial Board of astronomy, the Carriage park, the Residence for tributary envoys, and the College devoted to the students of the Hanlin bachelors. All the above-named places are essential to the carrying on of public business.

Ever since Peking was made the capital the various public offices have been established inside the Cheng Yang gate (the Chien Men), on the right and left of the Imperial city. They are in immediate proximity to and form a circle around the same.

Not only does the fact of their being adjacent (to the palace) facilitate the dispatch of public business; it is a question intimately affecting the prestige and the dignity of the state. This arrangement has remained without change throughout the Yuan and Ming dynasties, a period of now more than five hundred years. The magnitude of the building operations and the number of public servants, high and low, have also to be considered, and were a transfer insisted upon there would be no other site available. Moreover, the Tang Tzu and these various public offices and buildings are comparatively far away from the legations. Regarded from a legation point of view, their exclusion from the legation quarter would have no harmful results, whereas their inclusion therein would deprive the capital city of all that goes to constitute a capital. The action proposed involves consequences of no trifling import to the dignity of the state and the hope of the people.

Were we lightly and inconsiderately to acquiesce therein it is to be feared that their majesties the Empress Dowager and Emperor would, on their return, visit us with censure of the severest kind. It is of a truth really impossible for us to take so heavy a load upon our shoulders.

It is accordingly incumbent upon us to pray you in the terms of our former memorandum to agree to consider these buildings as not included in the legation quarter.

To accede to our request would afford ample evidence that the foreign ministers plenipotentiary are in sympathy with the sincere desire to strengthen friendly relations which animates our Government.

That you will do so is of a truth most fervently hoped by us.

[Inclosure 3.—Translation.]

IMPERIAL AND ROYAL LEGATION OF AUSTRIA-HUNGARY,
Peking, April 25, 1901.

MR. MINISTER AND DEAR DEAN: The commission on the diplomatic quarter has the honor to inform you of the results of the conferences which it had on the 22d of April with the Chinese plenipotentiaries to consider the questions brought up in the draft note which they handed us on the 2d of last March.

The commission in the first place informed the Chinese plenipotentiaries that the diplomatic corps had decided to insist on the boundaries for the legation quarters indicated in the letter which you sent them on the 1st of March, but that it was ready to make a concession as to the western boundary, on condition that the Chinese Government should no longer insist on the other objections made in the above-mentioned note.

This concession would consist in bringing back the line *a b* to within a certain distance of Gazelee road, so as to leave the Chinese Government the four ministries situated between Gazelee road and the Chien Men, to wit, the bureau of the Imperial household and the ministries of the interior, of finance, and of rites. We did not fail to add that this concession could only be made in case of the Chinese Government undertaking not to allow any native dwellings on the ground situated between Gazelee road and the Chien Men, with the exception of those of the Chinese servants of the legations, who were to be expropriated from their former dwellings in the diplomatic quarter.

The Chinese plenipotentiaries would prefer to leave this ground entirely free of any buildings with the exception of the four above-mentioned yamens, but they would be ready to leave the settlement of these details to the mixed commission of interpreters and Chinese delegates.

Prince Ching insisted very much that we should give up the idea of having demolished the yellow wall of the Imperial palace situated to the north of the British legation, as it would destroy the symmetry of the palace. All our objections did not succeed in making him accept the decision of the diplomatic corps on this point, but finally he seemed ready to recommend to the Court the project of substituting an iron railing for this wall. The commission undertook to submit this proposition to the diplomatic corps.

The opposition of Prince Ching to the tearing down of a part of the Bureau of Mongol affairs, so as to make the glacis on the north. was also very strong. He finished, however, by giving in in favor of the military exigencies of the case which we submitted to him, but asked that the prohibition of buildings, or of depositing building materials on the glacis, should extend to foreigners as well as to natives, and that the ownership of the ground on that part of the glacis situated to the north of the street should remain vested in the Chinese, and that the Chinese police should be permitted to exercise its duties on the glacis, while observing the regulations elaborated by the diplomatic corps.

The most serious objections were made to us concerning the Tang Tzu (ancestral temple), as the relinquishment of this spot to foreigners would be considered, according to Prince Ching, as a serious blow to the dignity of the dynasty.

The Prince proposed to give in exchange to the Italian legation the ground belonging to the customs, which the inspector-in-chief had declared he was ready to cede if this legation would give up the Tang Tzu. We observed that the two buildings in the north part of this inclosure would have to be pulled down for necessity of defense, but the prince insisted on his proposition, being satisfied to occupy that part of the Tang Tzu which would remain to the south of the wall.

We deemed it necessary to submit this proposition to the diplomatic corps, while asking at the same time the Prince to be pleased to consult the Court and to propose to it to transfer the temple of ancestors entirely outside the diplomatic quarter, as this seemed much more compatible with the dignity of the dynasty. The delimitation of the diplomatic quarter on the east side caused no objection, and as to the

wall of the Tartar city, the prince finally agreed that the portion extending between the Hata Men and the Chien Men should remain occupied by the legations, only demanding that houses should not be built on it, and that nothing should be done to change its present aspect. This we considered ourselves justified in promising.

Begging you to communicate the above to the diplomatic corps, we avail ourselves of this opportunity, etc.,

M. C. CZIKANN.
S. PICHON.
SALVAGO RAGGI.

[Inclosure 4.—Translation.]

The Chinese Plenipotentiaries to Mr. de Cologan.

PEKING, *May 11, 1901.*

YOUR EXCELLENCY: On the 22d of April we had a conference with the French, Austrian, and Italian plenipotentiaries, at which we discussed the question of the legation quarter in Peking. With the exception of the Tang Tzu (Imperial ancestral hall), which place has been surrendered by decree of His Majesty the Emperor—of which fact we have duly notified the Italian minister, Marquis Salvago Raggi, by note—the question of the four boundaries and other matters agreed upon, we now write to you about officially, so that a record by both the foreign representatives and ourselves may be kept.

1. The eastern boundary is 10 chang (100 feet) from the Tsung Wen gate (Hata Men). The ramp to the west of the gate for ascending the wall is not included within the legation quarter.

2. The northern boundary extends to the Ping Pu Chieh (Board of War street). On the west side of this street there are the yamens of the Imperial clan court, the Board of civil office, the Board of revenue, and the Board of rites. These yamens are to be handed over to the Chinese Government. At the rear of these yamens a wall, not very high, is to be built. At the side of the yamens there are houses of Chinese, many of which have been burned, while others remain intact. These are to be entirely taken down and the ground converted into vacant land. Neither Chinese nor foreigners will be allowed to use this land to build houses thereon. Chinese servants employed in the foreign legations, who originally had houses in this section, will be given other land on which they can build residential places.

3. The boundary to the south extends to the city wall. The wall adjoining the legations is to be patrolled by a guard of police dispatched for that purpose by the various legations, but no houses are to be erected on the wall.

4. The northern boundary extends to 80 meters north of the Tung Chang-an street. The boundary walls of the foreign legations are to be erected 15 chang (150 feet) south of the Tung Chang-an street. The houses on the land from the boundary walls of the legations to the point north of the Tung Chang-an street are to be pulled down and the place converted into vacant ground. The Imperial city wall, however, is not to be disturbed. No houses, in the future, will be allowed to be erected on said vacant ground, either by Chinese or foreigners. The Tung Chang-an street is to remain open, as a public road, to carts and horses as before. The Chinese Government will establish police stations there and employ policemen to patrol the street.

The above four boundaries and other matters decided upon were arranged verbally at the meeting on the day in question.

We have the honor, therefore, to address this communication to your excellency, requesting you in turn to communicate same to your colleagues, so that they may place same on file. We also beg that your excellency will favor us with a reply.

[Inclosure 5.—Translation.]

M. de Cologan to the Chinese plenipotentiaries.

PEKING, *May 28, 1901.*

HIGHNESS AND EXCELLENCY: I have the honor to acknowledge the receipt of the letter which your highness and your excellency were pleased to send me on the 11th of May, and in which you confirm the arrangements concerning the limits of the future diplomatic quarter agreed upon between you and the commission charged by the representatives of the foreign powers to settle these questions. My colleagues

have learned with satisfaction that you give up the Tang-tzu (Imperial ancestral temple) in favor of the Italian legation and that you affirm your intention of complying also with the other demands which have been made of you concerning these questions.

They have, nevertheless, directed me to define more clearly certain points which in your letter do not seem sufficiently clearly set forth so as to prevent any misunderstanding in the future:

(1) As to the eastern boundary, which not only in my letter of the 1st of March, but also in the conference which the commission had with your highness, was fixed upon and settled at Ketteler street (Ha-ta-men street). The 100 feet to the west of the gate Ha-ta-men, Ching-men mentioned in your letter, only indicates the extreme limit of our occupation on the wall of the Tartar city, and have nothing to do with the boundary on the street.

(2) As to the western boundary, my honorable colleagues have found your declarations satisfactory:

(*a*) That this boundary shall start from the Chien-men Gate and run along the line *a b* as far as the street of the legations, shall follow along the north of that street to a distance 40 meters to the west of the street of the ministries (Gaselee road), where it shall run to the north until it reaches the outside wall of the Imperial palace;

(*b*) That on the ground situated between Gaselee road and the Chien-men square all Chinese houses shall be demolished, and that there shall not be thereon any other buildings than the four yamens, to wit, the Bureau of the Imperial household and the Ministries of the interior, of finance, and of rites; and

(*c*) That separate lots shall be given to the Chinese in the service of the legations who had originally houses within the quarter.

I must nevertheless recall to your highness and your excellency that his excellency the minister of Russia, as he has had the honor to inform you, has given up the two yamens which adjoin his lot only on the condition that the Government shall give to the Catholic mission in exchange for a piece of ground which belongs to it and which is within the extension of the Russian legation, another lot of the same value situated within the Tartar city, to be chosen in agreement with Mgr. Favier.

(3) It is understood that the southern limit of the quarter is marked by a line drawn along the base of the wall, but on the south side of it, so that the part of the wall corresponding to the diplomatic quarter shall be comprised within it. Therefore the representatives of the powers, as the commission stated to you, reserve to themselves the right to maintain on it police stations, while pledging themselves not to put up on it constructions which may change the exterior aspect of the wall.

(4) Your declaration that the limit to the north shall be at a distance of 80 meters north of the Chang-an street (Viale d'Italia, Stewart street), which shall remain a public highway, open to horses and wagons, has been found to agree with the demands of the foreign representatives. I deem it proper to add that in the conference of the above-mentioned commission with your highness it was agreed that the Chinese police should be allowed to perform its duties on this public highway, but that it should comply with regulations to be drawn up by the diplomatic corps.

It is understood that the police stations which you propose to establish shall not be built to the south of the above-mentioned boundary line. This zone, in agreement with our stipulations, is to be left without any constructions on it.

We have also to recall to you that the foreign representatives had asked that the part of the wall facing the British legation should be pulled down, and so as to conciliate this request with your wishes the commission had begged your highness and your excellency to recommend to the court the plan of substituting an iron railing for this wall. It is so as to facilitate to the Chinese Government the pulling down of this wall that his excellency the British minister has agreed to relinquish the two yamens facing his lot.

I avail myself of this opportunity, etc., B. J. DE COLOGAN.

[Inclosure 6.—Translation.]

M. de Cologan to the Chinese plenipotentiaries.

PEKING, *March 15, 1901.*

HIGHNESS AND EXCELLENCY: As I informed you in my letter dated March 1, the foreign plenipotentiaries, considering the carrying out of Article VII of the Joint Note, have resolved to ask the Chinese Government to indemnify all the Chinese property owners whose expulsion from the diplomatic quarter has been decided upon.

To that end they have named a committee charged with making an inquiry into the validity of property titles and the value of ground. So as to carry out this inquest with all necessary guaranties for the interested parties, the foreign plenipotentiaries think it desirable to have added to this committee a Chinese official who will assist it with his experience.

I have consequently the honor to request your highness and your excellency to be pleased to designate a delegate for the above purpose and to inform me of his name, so that he may be invited to meet them at the proper time.

I avail myself, etc., B. J. DE COLOGAN.

[Inclosure 7.—Translation.]

The Chinese plenipotentiaries to M. de Cologan.

PEKING, *March 16, 1901.*

YOUR EXCELLENCY: We had the honor to receive, on the 15th instant, your communication with reference to the execution of Article VII of the Joint Note. [Quotes *in extenso* doyen's note of March 15, 1901.]

In your communication of the 1st instant, transmitting a plan of the proposed legation quarter, you made certain remarks on the subject of the Chinese residents within its limits.

On receipt thereof we prepared and sent you a memorandum, in which we stated that in the interest of justice steps must be taken to make good to the Chinese residents in the legation quarter who would be called upon to move elsewhere the value of their land and their expenses of removal.

Now, what we meant thereby was that the plenipotentiaries of the powers themselves ought, as a matter of course, to take steps to provide any sums necessary to make good such claims. It is a fixed and abiding principle that he who appropriates land for his own use must pay for the same and that he who calls on them to remove their dwellings must make good the expenses of such removal. In the present instance, as the legations wish to extend their boundaries, such Chinese as are resident within these limits must move elsewhere, and as in your former communication it is stated that such area is reserved for the use of the legations, it undoubtedly follows that the legations are responsible for the payment of the value of the land thus appropriated. Further, as the legations had called upon the present residents to quit, they put these people to the expense of taking down their dwellings and reerecting them, a process which is accompanied by inevitable loss of property and damage of various kinds. These losses being the result of orders to quit, the reimbursement thereof ought naturally also to be made by the legations concerned.

It is now, however, proposed that the Chinese Government be asked to provide funds for this purpose. Taking all the circumstances into consideration, we can hardly bring ourselves to believe that a proposal of this kind is in accordance with equity.

As regards the request in the communication under acknowledgment that an officer be appointed to assist in the examination of title deeds and assessment of values, this is, of a truth, a just and proper method of procedure and affords evidence of a really sincere desire to preserve the interests of the proprietor from injury.

It is our duty in addressing to you this reply to beg you to consult with the plenipotentiaries of the powers regarding the question of refunding to the Chinese owners the value of their land and expenses of removal, with a view to securing an acknowledgment of the just principle that each legation should itself take steps to provide the funds necessary for the purpose.

When we shall have received your answer we will take into consideration the appointment of a delegate to join the committee elected by the diplomatic body.

[Inclosure 8.—Translation.]

The Dean of the diplomatic corps to the Chinese plenipotentiaries.

PEKING, *March 19, 1901.*

YOUR HIGHNESS AND YOUR EXCELLENCY: In a note under date of the 15th of March I had the honor to request you to designate a delegate to examine, with a commission named for that purpose by the representatives of the powers, the validity of deeds to real estate owned by Chinese within the limits of the future diplomatic quarter. I

informed you that this commission and the delegate you will choose would also have for duty to fix the value of the lots to be expropriated, so as to settle the damages which the Imperial Government would have to grant the owners of them.

You answered me on the 16th of this month that it belonged to the legations to indemnify the Chinese who would be expropriated by them. You pretended in that communication that the pulling down and destruction of buildings which has been done in the diplomatic quarter were imputable to the legations, as was also the moving away from it of the inhabitants who have been obliged to abandon their dwellings.

The events of last year are still too recent for it to be possible to represent things in this light.

Why did the Emperor of China, in accepting the Joint Note, grant to the legations the right to put themselves in a defensive state, unless it was because they had been invested and besieged for two months, surrounded by regulars and Boxers, who pulled down several of the legations and destroyed by fire the whole quarter surrounding them?

Who ignores that when the allied troops entered into Peking the whole section of the city which the powers demand to establish their diplomatic missions in had been mined and burned and was only a heap of ruins—the work of Boxers and regulars?

It is the Chinese Government, declared responsible for these events by the powers, and which had recognized itself as such in accepting their conditions; it is for it to bear the consequences of its conduct, and to supply to the diplomatic agents the means of defense it has rendered necessary in failing to keep its first obligations. Among these means of defense figure in first line the removing of the houses which served as a place of refuge to those attacking the legations and the walls of which have shielded their attacks against the representatives of the powers.

As, however, it would be unjust to deprive of their dwellings Chinese who have no responsibility in the affair, and who would as a result be victims of an event which they could not prevent, the diplomatic corps proposes to you to fix with it the reasonable damages which you will have to pay the inhabitants who can show good titles to their property.

The diplomatic corps can only insist on its demand, and my colleagues have directed me to beg you to designate as soon as possible the delegate who will put himself in communication with the commission which they have appointed.

B. J. DE COLOGAN.

[Inclosure 9.—Translation.]

The Chinese plenipotentiaries to M. de Cologan.

PEKING, *March 23, 1901.*

YOUR EXCELLENCY: On the 29th day of the first moon, of the 27th year of Kuang Hsu (March 19, 1901), we received your dispatch informing us that the diplomatic corps could only adhere to its proposition for us to take part with it in establishing the equitable indemnities which China would have to give to the expropriated inhabitants who could produce satisfactory title deeds to property, and that the diplomatic corps have charged you to request us to designate, as soon as possible, a delegate who should put himself in communication with the commission appointed by it.

In reply, we would note that, according to international law, war is an act between two nations, in which the populations are not concerned; that the victorious government has a right to seize public property, but not the right of seizing private property; that, nevertheless, the victorious country can occupy for its use private property, but naturally on the condition to pay the value of it to the former owner.

Your dispatch admits also that there is cause for indemnifying the former owner for the value of his private property, but it declares that it should be paid by the Chinese, and that is not just. It is perfectly clear that he who uses a piece of ground should pay the price of this ground, as we have explained in detail in our previous reply.

Furthermore, article 7 of the protocol of peace negotiations only stipulated the right for each power to establish a guard for its legation and to put in a state of defense the diplomatic quarter, and it was in no wise stated in it that it was possible to extend at one's will the limits, or that they could, according to their convenience, encroach on the property of the people.

If, therefore, the legations occupy for their use the houses and the ground belonging to Chinese subjects and situated within the limits of the quarter actually laid out, it would naturally be proper, in compliance with equity, that the price should be paid by the legations.

Nevertheless, desirous as we, the prince and minister, are to treat in a satisfactory manner the various articles of the convention, in case the diplomatic corps should consent to promptly reach an understanding with us in conformity with the propositions of the memorandum which we have addressed to it previously on the question of the restitution of the Tang-tzu and various important yamens, it would not be difficult for us to endeavor to accede to the desire of the diplomatic corps in promising to pay the price of the loss and in designating an able delegate to whom would be intrusted the question of regulating in a satisfactory manner, in conjunction with the commission, the examination of title deeds and various questions.

Such is the answer which we send you, Monsieur the dean, requesting you to kindly bring it to the knowledge of the diplomatic corps.

[Inclosure 10.—Translation.]

M. de Cologan to the Chinese plenipotentiaries.

PEKING, *March 30, 1901.*

HIGHNESS AND EXCELLENCY: The representatives of the powers take note of the declarations contained in your dispatch of the 23d of this month, by which you agree, in principle, to indemnify the Chinese who shall be expropriated from the diplomatic quarter, and to designate a delegate to discuss this question with the committee appointed for that purpose by the diplomatic corps.

The considerations which you have laid down, however, in your dispatch, before reaching this conclusion, can not be accepted. It is not, as you seem to believe, by right of conquest that the foreign ministers have seized private property situated within the limits of the quarter to be ceded under the terms of Article VII of the Joint Note accepted by His Majesty the Emperor of China. It is because the annexation of these properties is indispensable for the future defense of the diplomatic quarter, and because they were used as a refuge by the regulars and Boxers who attacked the legations for two months.

While noting, as is proper, the passage of your dispatch in which you admit that it is lawful for the representatives of the powers to dispose of the public buildings within the limits fixed by my letter of the 1st of March to your highness and your excellency, and while willing to seek with you a compromise on this point, my colleagues call your attention to the fact that a state of war does not exist and has never existed during last year between China and the governments whose plenipotentiaries they are.

What happened was an attempted general massacre of foreigners and of the members of the diplomatic body by Boxers and Chinese regulars, obeying orders emanating from the Imperial palace. As a result, the Government of His Majesty the Emperor of China admitted its liability for this attempt, and declared itself ready to grant both reparation and the guarantee deemed indispensable by the powers. The erection of a quarter provided with means of defense against the recurrence of a criminal attempt like the one which only failed through the arrival of the allied troops at Peking is one of these guarantees. The Chinese Government owes it entirely to the foreign governments and to their ministers in China without any compensation on their part.

I have the honor, in consequence, to reaffirm to your highness and your excellency the necessity of designating at once a delegate to enter into relations on this subject with the committee to negotiate the question with you.

I avail myself, etc., B. J. DE COLOGAN.

[Inclosure 11.—Translation.]

The Chinese plenipotentiaries to M. de Cologan.

PEKING, *April (?), 1901.*
(Received April 5, 1901.)

YOUR EXCELLENCY: On the 1st of April we had the honor to receive your excellency's dispatch wherein you requested us to at once designate a delegate to examine, with a commission named for that purpose by the representatives of the powers, the validity of deeds to real estate owned by Chinese within the limits of the future

diplomatic quarter; that this commission and the delegates chosen would also have to fix the amount to be paid for the lots expropriated, etc.

In reply we have the honor to inform your excellency that we have designated Jui Liang, secretary of the Tsung-li Yamen, and Lien Fang, a taotai awaiting selection for office, to confer with the commission named by the foreign representatives. As this matter concerns interests in the locality named, the gendarmerie and governor of Peking have also selected military and civil officers (the latter the magistrate of Ta Hsing district) to act with the above-named officers, in the hope that the matter may be well arranged on a proper basis.

As in duty bound, we address this communication to your excellency, and beg that you will, in turn, make known its contents to the foreign representatives, so that they may act accordingly.

Mr. Adee to Mr. Rockhill.

No. 32.] DEPARTMENT OF STATE,
Washington, August 3, 1901.

SIR: I have to aknowledge the receipt of your No. 116, of June 13 last, transmitting copies of the correspondence exchanged between the representatives of the powers and the Chinese plenipotentiaries concerning the carrying out of the terms of Article VII of the joint note, providing for the erection of a defensible diplomatic quarter in Pekin within the limits of which the Chinese were not to reside. You request the views of the Department on the following points:

1. Will the United States Government credit the Chinese Government on the amount of the indemnity with the amount paid by it to its expropriated subjects within our section of the quarter, or does it wish to buy directly from the owner?
2. Does the Government wish that a formal cession should be made by China to it of the ground comprised in our section of the diplomatic quarter?
3. What disposition do you wish made of the land within our section not necessary for legation purposes?

Your dispatch speaks of "the legally vested rights of foreign private owners within the limits (of the legation) being of course recognized."

The Department is not sure that it understands what "vested rights of foreign private owners" are referred to. If any such right had legally vested prior to the siege they should be respected, but Pekin not being a treaty port where foreigners might purchase land at will, the Department is in doubt whether the rights above mentioned are supposed rights of foreigners in land purchased during the siege of the legations. If such rights are meant the attitude of the Department in relation thereto is indicated in its previous instructions.

Your dispatch states that—

the Chinese Government has agreed to cede the rights of occupancy of all the ground owned by it or its subjects within the limits indicated to the powers collectively, to form a defensive diplomatic quarter, undertaking, furthermore, to compensate its subjects whom (whose property) it may have to expropriate for that purpose.

Such agreement for compensation by the Chinese Government would exonerate this Government from such obligation, and no deduction on that account would need to be made from the indemnity agreed upon.

In reading the inclosures with your dispatch the Department does not find any express undertaking by the Chinese Government to compensate its subjects whose property it may expropriate. While this demand was made by the foreign envoys, the answer does not appear to be fully responsive to the demand so as to constitute a clear accept-

ance, and its acceptance can only be deduced from the tenor of the notes preceding the demand coupled with the answer thereto, and which, taken altogether, may perhaps be considered as a constrained acceptance.

This is a question of agreement or of interpretation which should be settled by the envoys with the representatives of the Chinese Government. If the cession of this property is made on the grounds asserted by the envoys, not as a conquest, but as a security against future attacks, it would seem to exclude the idea of reimbursing the Chinese Government, either for the cession of its property or for payments made for the expropriation of the property of its subjects for such purpose. But if, on the other hand, the result of such interpretation should be to leave incumbent upon the powers the duty of making compensation to China for sums paid by it for the expropriation of the property of its subjects, the amount thereof which would be payable to China on account of the cession of the property of its subjects to this Government may be credited on the share of the indemnity which would come to the United States, and the amount thus credited should, on final distribution by the United States, be deducted from the share which would come to it, as distinguished from and so as to leave unimpaired the share which comes to it in trust for private claimants.

For the present no disposition should be made of any land "within our section not necessary for legation purposes." You may send a chart to the Department, showing the figure and area of the land above ceded as above indicated, and showing the portion and quantity thereof to be used for United States legation purposes, and showing the residue and its quantity available for other purposes. If the residue can properly and advantageously be used in connection with legation purposes it should be reserved for such uses, present or future. If not, and if it is proposed and there is an opportunity to make other disposition of it, all the pertinent facts in connection with such disposition and use should be reported to the Department, to aid in its determination of the question of the right and advisability of its disposition. The decision of this question may ultimately largely turn on the form of the instrument of cession. And it is advisable that the Chinese Government make a formal instrument of cession of rights of perpetual occupancy, in accordance with the tenor of the arrangement between its representatives and the envoys. The form of this instrument should be carefully guarded, to avoid hampering limitations and restrictions upon the disposition and uses of any of the property ceded. If the property is ceded for legation purposes purely it may raise a serious question as to the right of revision to the Chinese Government, or of well-grounded interference by it with any attempt to make any disposition of the property foreign to the object of the cession.

It would be more convenient for the Government of the United States to take title to all the property by direct grant from the Chinese Government, leaving to it the precedent duty of expropriating the property of its subjects. This may be done unless it will conflict with the views and arrangements made by the envoys.

I am, sir, etc.,

ALVEY A. ADEE,
Acting Secretary.

Mr. Rockhill to Mr. Hay.

No. 117.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 13, 1901.

SIR: After telegraphing you on the 11th that it seemed highly probable that I could obtain as commercial compensations for agreeing to an increase of the tariff on imports to a 5 per cent effective—first, the revision of the tariff on imports with the substitution of specific for ad valorem duties; second, the participation by the Chinese Government in the work of improving the waterways leading to Shanghai and Tientsin; and, third, the revision of the regulations now in force governing inland navigation by foreigners so as to allow shipping of all classes to engage in it—a communication was sent around to the foreign representatives by the Russian minister, a translation of which I herewith inclose. In this he states that he will not agree to submit to his Government any proposition tending to secure the revision of the regulations concerning inland navigation by foreign shipping.

In view of this declaration by Mr. De Giers, I again telegraphed you asking if I could accept the two other commercial compensations.
* * *

I am, etc., W. W. ROCKHILL.

[Inclosure.—Translation.]

IMPERIAL LEGATION OF RUSSIA,
Peking, 11th June, 1901.

MR. MINISTER AND DEAR COLLEAGUE: As I declared to my honorable colleague in the meeting of this morning, my Government considers that it would be preferable to guarantee the payments of the Chinese debts by taxes and duties collected in the open ports, and particularly by the revenues of the customs, instead of having recourse to internal taxes, which might easily lead to an intervention in the internal administration of the Chinese Empire.

Nevertheless, in view of the difficulty surrounding an increase of customs dues to 10 per cent ad valorem, and with the object of bringing the question of indemnities to as prompt a settlement as possible, my Government has consented, as a concession on its part, to accept as a source of revenue the salt gabelle as it is in operation at present under Chinese administration, and without any foreign control.

I was happy to see the unanimity which the diplomatic corps was able to reach as to this source of revenue, as also on those derived from the native customs and the available balances of the maritime customs. Concerning these resources and the reservation made as to them, which I drew up in a special formula, agreement was reached ad referendum.

As to the proposition of the German minister to add to these resources the increase of the tariff on imports to a 5 per cent ad valorem effective, it would also have been accepted by the diplomatic corps if his excellency Mr. Rockhill had not laid down conditions. These conditions present, in my point of view, the serious inconvenience of reopening discussion and provoking thereby loss of time, which my Government had precisely in view to obviate when accepting the salt revenue as one of the sources of payment. For that reason I did not think I could accept these conditions even ad referendum, holding that they ought to have been sufficient to secure the acceptance of the increase of the customs tariff to 10 per cent.

Nevertheless, as some of my honorable colleagues have shown insistence in the matter, I will consent to submit to my Government, without in any way prejudicing its opinion, the two following points as conditions to the raising of the customs dues to 5 per cent effective:

1. The transformation of all duties on imports actually levied ad valorem into specific duties, the nomination of an international commission for that purpose, and, while waiting for the result of its work, the levying of ad valorem duties; and

2. The improvement of the Peiho and Whangpoo rivers, with the financial participation of the Chinese Government.

But so as not to compromise the results already obtained, it is impossible for me to submit to my Government, as a condition to the raising of the tariff to 5 per cent, the revision of the regulations of navigation on Chinese inland waters.

Please accept, Mr. Minister and dear colleague, the assurances of my highest consideration.

M. DE GIERS.

Mr. Rockhill to Mr. Hay.

No. 118.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 15, 1901.

SIR: The diplomatic corps resumed to-day the discussion of the question of the revenues to be assigned to the payments on indemnities, as to which a conclusion had not been reached at the last meeting, through my declining to accept fewer commercial compensations than those which I had reported you I had asked, in my dispatch No. 114 of June 11, 1901.

At to-day's meeting I informed the diplomatic corps that the United States accepted the proposal to raise the duties on imports to a 5 per cent ad valorem effective on condition of a revision of the tariff and substitution of specific for ad valorem duties and the improvement of the waterways leading to Shanghai and Tientsin.

I likewise informed them that my Government, desirous of bringing to a prompt close the present negotiations, accepted the sum of 450,000,000 taels as the final amount of the indemnity calculated to the 1st of July, and as a further manifestation of the earnestness of its desire to expedite negotiations it accepted also the 4 per cent instead of 3 per cent interest, which latter we had been advocating.

From the remarks made during the exchange of views which followed, there can be no doubt that France and Russia accept the 450,000,000 taels indemnity, although the representative of the latter power said that he had no definite instructions on the subject.

The question of the mode of payment was then taken up—guaranteed loan or bonds.

The Russian minister stated that his Government, although always partisan of an international guaranteed loan, would accept the decision reached by all the other powers. The French minister said he was authorized by his Government to accept one or the other of the two modes of payment above mentioned.

The Japanese minister said that, if the system of a guaranteed loan was accepted, his Government would raise no objection to it, but if the payment was made by the issuance of bonds at 4 per cent interest Japan would incur a loss. The last Japanese loan placed on the London market was a 4 per cent one, and the bonds at the present time were quoted at 0.78. The Japanese minister said:

Taking note, therefore, of the principle laid down in the fifth section of the report of the commission on indemnities, and believing it to be the intention of the powers that the actual expenditure incurred by each Government in the interest of all should be made good, it was his duty to declare that if the bonds were to bear interest at 4 per cent nothing less than a capital sum which would yield interest equal to 5 per cent on the total amount of Japan's claims should be regarded as equivalent to such claims which were calculated on the basis of immediate payment.

All the other powers were unreservedly in favor of the issuance of bonds at par, bearing 4 per cent interest.

Mr. Komura also remarked that the actual sum by which the face value of Japan's claim would have to be increased would be considerably less than 25 per cent of the whole amount, because amortization as well as interest on the sum so increased would be taken into account in making good the loss of 1 per cent which Japan would actually incur.

The Russian minister remarked that the 4 per cent loans in his country were some points below par, and that he could not therefore feel at all sure that his Government would accept the 4 per cent rate.

On the whole, the discussion established the fact that the only serious objection to 4 per cent was that in the case of Japan. It was generally felt that Russia's present reserve in expressing itself definitely on the subject would not be maintained.

The embarrassment of Japan is so real, and on the other hand, that country deserves so much the thanks of all the others for the prompt, efficient, and modest way in which it performed its work here last year, that I trust some means may be devised to prevent it sustaining any loss.

* * * * * * *

I may add that during to-day's meeting, and also in one or two of those which have preceded it, the question of the currency in which the interest and amortization is to be paid was discussed. It is understood that the sum of 450,000,000 taels was only given to the Chinese as a convenient indication; that all the claims are in gold and payable in the currency of the country of the power claiming. The locality where the interest is to be paid has not yet been settled. There seems, however, to be a disposition to have these payments made at Shanghai.

I am, etc.,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 119.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 18, 1901.

SIR: In my dispatch No. 109, of the 6th instant, I transmitted to you the correspondence exchanged between the representatives of the powers and the Chinese plenipotentiaries concerning the suspension of examinations. The only obstacle to a final and satisfactory settlement was, I therein stated, the question of the suspension of metropolitan examinations, which are always held in Peking.

This obstacle has been removed by the publication of a decree of the Emperor suspending all examinations in Peking and in the metropolitan prefecture (Shun-t'ien Fu). I inclose a translation of a dispatch addressed by Prince Ching and Li Hung-chang to the doyen of the diplomatic corps, giving the text of the decree.

I understand that it is the intention of the Chinese Government to hold the metropolitan examinations, during the time Peking is closed, in some provincial capital—preferable at K'ai-feng Fu.

I am, etc.,

W. W. ROCKHILL.

[Inclosure.—Translation.]

The Chinese Plenipotentiaries to Mr. de Cologan.

PEKING, *June 13, 1901.*

YOUR EXCELLENCY: We have the honor to inform your excellency that we have received a telegram from Si-an, announcing that on the 11th instant the grand secretariat received the following decree:

"Prince Ching and Li Hung-chang memorialized Us to-day in regard to the demand of the foreign representatives that all official examinations—civil and military—shall be suspended for a period of five years in the towns where trouble occurred. The memorialists state that the examinations in Shun Tien Fu and Tai Yuan Fu must also be suspended.

"The list gives the following places, and in these all examinations are to be suspended for five years.

"Shansi: T'ai Yuan Fu, Hsin Chou, Tai Ku Hsien, Ta Tung Fu, Feu Chou Fu, Hsiao I Hsien, Ch'u Wo Hsien, Ta Ning Hsien, Ho Ching Hsien, Yueh Yang Hsien, Hsieh Ping Fu, Wen Shui Hsien, Shou Yang Hsien, Ping Yang Fu, Chang Tzu Hsien, Kao Ping Hsien, Tse Chou Fu, Hsi Chou, Chiang Chou, Kuei Hua Cheng, and Sui Yuan Cheng.

"Honan: Nan Yang Fu, Ho Nei Hsien, Cheng Chou, Kuang Chou, and Chen Chou.

"Chekiang: Chü Chou Fu.

"Chihli: Peking, Shun Tien Fu, Pao Ting Fu, Yung Ching Hsien, Tien Ching Fu, Shun-Tê Fu, Wang Tu Hsien, Huo Lu Hsien, Hsin An Hsien, Tung Chou, Wu I Hsien, Ching Chou, and Luan Ping Hsien.

"Eastern Manchurian provinces: Mukden, Chia Tzu Chang, Lien Shan, Yu Ching Chieh, Pei Lin Tzu, and Hu Lan Cheng.

"Shensi: Nin Chiang Chou.

"Kiang si: Po Yang Hsien.

"Hunan: Heng Chou Fu.

"Let the viceroys and governors of the above-mentioned provinces, as well as the literary chancelors, act in accordance with and obey the terms of this decree and put out proclamations for general information."

As in duty bound, we send this communication, embodying the above decree, to your excellency, and will thank you to communicate the same for the information of your colleagues.

Mr. Rockhill to Mr. Hay.

No. 120.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 19, 1901.

SIR: At the meeting of the diplomatic corps held to-day the Russian minister stated that he had received instructions authorizing him to accept the 1st of July as limitation of the indemnity to be demanded of China. He also accepted, in principle, the sum of 450,000,000 taels, although his Government had invariably, in its instructions to him, referred to the sum of seventeen hundred millions of francs.

The French minister made a similar declaration as to the limitation of the indemnity.

The Japanese minister said that his Government accepted the date stated, and also the sum of 450,000,000 taels and 4 per cent interest, subject to the reservation made by him at the last meeting, which I reported to you in my No. 118, of the 15th instant.

In my No. 114, of the 11th instant, I stated that the Russian minister submitted a proposal concerning the eventual increase of the tariff on imports to 10 per cent, and that in view of the terms of the second paragraph, which reserved all rights and insured the consideration of all objections of whatever nature, it had been accepted by all the

representatives—the British included. I did not deem it necessary to telegraph you on the subject, and most of my colleagues, I think, looked on it as a matter of small importance; the German and Japanese ministers certainly did.

We considered it a compensation due Russia and France, who saw in the acceptance of their proposal a moral obligation giving additional security for the arrangement being made, for their willingness to accept bonds in lieu of the guaranteed loan they had so strongly urged until now, and the gabelle in place of an increase of the tariff to 10 per cent.

To-day, however, the British minister informed the diplomatic corps that his Government declared it could not accept an eventual increase of the tariff above 5 per cent, to be solely applied to the payment of interest on the indemnities, for it held that this increase should be granted China as compensation for the suppression of likin, and for the correction of other commercial grievances; that this increase should be made revocable, as in the case of opium under the Hongkong agreement, etc.

The necessity or expediency of making this declaration at the present time is not apparent. The British minister had stated in the meeting on the 11th instant that his Government would ask the abolition of likin and other compensations for an increase of the tariff to 10 per cent, and my reservations had covered much the same ground.

The Russian minister stated that his Government had only accepted applying the revenues from salt to the payment of the loans, agreed to accept bonds in lieu of a guaranteed loan, and to the commercial compensations which I had insisted upon, as an evidence of its earnest desire to close this phase of the negotiations; that the British Government's refusal to agree to the slight moral guaranty which Russia found in the proposal to apply the eventual increased revenue from the customs to the purposes of the loan might reopen the whole question.

The British statement did not secure the support of any of the representatives. I trust it will not occasion any considerable delay, but in view of the possibility of its doing so I thought best to cable you.

* * * * * * *

I am, etc.,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 121.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 22, 1901.

SIR: I have the honor to inclose herewith for your information translation of a communication addressed to Sir Ernest Satow by the Chinese plenipotentiaries, in which the latter state their intention to bring some 3,000 troops to Peking to take over the policing of the city. An identical communication was sent to the ministers of the other powers having troops in this province.

I also inclose copy of the reply of the diplomatic corps to the communication cited, informing the Chinese plenipotentiaries that, until further orders, no Chinese troops can be allowed to advance toward Peking.

At the present time the actual work of policing the city is in the

hands of the Chinese authorities, subject to the control of the various military commanders, and it would seem that this was the better method of managing this work until the complete evacuation of the capital by the foreign soldiery.

I am, etc., W. W. ROCKHILL.

[Inclosure No. 1.—Translation.]

The Chinese plenipotentiaries to Sir Ernest Satow.

PEKING, *June 17, 1901.*

The allied forces are about to be gradually withdrawn from Peking, and as the place will then be empty of troops we have memorialized the throne asking for the transfer to Peking of General Chiang Kuei-ti and 3,000 troops, infantry, cavalry, and artillery, from the governor of Shantung's command, to take over the policing of the city. Yesterday we addressed a communication to the doyen of the diplomatic body, stating this and requesting his excellency to inform the diplomatic representatives in order that instructions might be sent to the allied commanders along the route (of the Shantung troops) not to hinder their approach. These troops are now at Ho-chien Fu, and it is proposed that they shall proceed via Kao-yang to Paoting, and then take the railway to Peking, where (it is proposed) to station them in two places, both of which are to be in the quarter administered by Japan and are not occupied by Japanese or other foreign troops. These two places are the empty inclosures formerly occupied by the Shen Chi Ying (Pekin field force) in the Pei hsiao Chieh (North Small street) off the Tung-Chih men main road, and Shih-hu hu-tung (Stone Tiger lane) off the Tê-sheng men main road.

We have the honor accordingly to inform your excellency and to express an earnest hope that you will confer with your colleagues at an early date and favor us with a reply as soon as possible, in order that we may send a dispatch to General Chiang instructing him to set his forces in motion, and that we may fix definitely with the railway company the date of the required trains.

[Inclosure No. 2.—Translation.]

Mr. de Cologan to the Chinese plenipotentiaries.

PEKING, *June 19, 1901.*

YOUR HIGHNESS AND YOUR EXCELLENCY: I have the honor to acknowledge the receipt of your letter dated June 17, informing me that the Emperor had ordered sent from Shantung Gen. Chiang Kuei-ti with the 3,000 soldiers, which he commands, to encamp them on the territory of the capital.

You add that the corps has already commenced its march, that it is at present at Ho-chien Fu, and that you have the intention to have it advance still farther.

In reply to this communication I have the honor to inform you, in the name of the diplomatic corps, that until new orders, no movement of Chinese troops can be made toward the capital.

I have, etc., B. J. DE COLOGAN.

Mr. Rockhill to Mr. Hay.

No. 122.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 22, 1901.

SIR: I have the honor to inclose herewith for your information copy of the proceedings of an international committee assembled at Shanhaikwan on the 3d instant, by order of His Excellency Field Marshal Count von Waldersee, to consider the definite allotment of land, forts, and buildings at that place to the allied troops that will form the semi-permanent garrison of the town.

I am, etc., W. W. ROCKHILL.

[Inclosure No. 1.]

HEADQUARTERS STAFF OFFICER BRITISH CONTINGENT,
CHINA FIELD FORCE,
June 10, 1901. (Received June 12, 1901.)

To the general officer commanding French expeditionary corps, general officer commanding Imperial German troops, general officer commanding Imperial Japanese troops, officer commanding Italian troops, officer commanding Austrian troops, officer commanding Russian troops.

SIR: I have the honor to forward for your excellency's information the inclosed copy of the proceedings of an international committee assembled at Shanhaikwan on the 3d instant by order of His Excellency Field Marshal Count von Waldersee to consider the definite allotment of land, forts, and buildings at that place to the allied troops that will form the semipermanent garrison of the town.

2. I presume that your excellency concurs in the recommendations of the committee, which seem to me most logical and sensible, and I suggest that early orders be given for carrying them into effect, with a view to the early reduction of the forces at Shanhaikwan to the strengths agreed upon for the transition period.

I have, etc.,

ALFRED GASELEE,
Lieutenant-General, Commanding British Contingent, China Field Force.

Proceedings of a committee assembled at Shanhaikwan by order of Field Marshal Count von Waldersee, dated June 3, 1901.

The following were present: Germany, Colonel von Bosse; Austria, Lieutenant Demeter; France, Colonel Pares; Great Britain, Maj. Gen. A. J. F. Reid, C. B.; Italy, Captain Dentice; Japan, Colonel Watanabe; Russia, Colonel Glinsky.

Major-General Reid as senior officer present presides.

The attached note, marked "A," is laid before the committee, who proceeded to consider the points therein detailed.

(1) *Forts.*—It was agreed that the forts should be redistributed as under, the parade grounds going with the forts: Fort 1, Great Baitain; Fort 2, Germany (small guard), Austria, and Italy; Fort 3, France; Fort 4, Japan; Fort 5, Russia.

The representatives of France and Russia opposed this. General Pares objects on the grounds that the instructions of General Voyron do not permit him to change any orders made by the admirals. Colonel Glinsky refuses to vote, as he considers that the instructions he has received from Count von Waldersee in his letter do not refer to the redivision of the forts.

(2) *Buildings.*—The nationalities named below wished to reserve the buildings entered against their names.

Germany: The two yamen near the beach and the ground adjoining them, between the two roads to the north, to a depth of 430 yards; the present horse run and flags to the south being removed.

Austria: Nil.

France: All the buildings they now occupy, and a house near the railway station.

Great Britain. The headquarters yamen and any buildings near the railway station required for the protection of the railway.

Italy: Thep ortion of the village to the east of the road near Fort 2 now occupied by the Japanese, and one house they now occupy near the railway station.

Japan: The buildings they now use for their commissariat near the south gate of the city, the village near the searchlight on the great wall, and the west portion of the village Italy now proposes to occupy.

Russia: The joss house near the beach below Fort 1 and the camp now occupied by their artillery.

The above proposals were accepted unanimously.

(3) *Lands.*—It was agreed that no nationality is to construct any buildings at a distance of more than 200 yards from the wall of any fort or yamen occupied by them. When the buildings of any two nationalities are less than 400 yards apart, then the dividing line will lie halfway between the two buildings. In the case of No. 1 fort, the building rights go with the fort and not with the Russian yamen. Colonels Glinsky and Pares dissent with the last point only for the reasons given in clause 1.

(4) *Allotment.*—Three piers have already been built by each and foreshore—the Russians, Germans, and British, respectively. It was agreed that any nation may land stores on the beach whenever it pleases, but that for stocking goods, while the mili-

tary occupation lasts, the land to the distance of 100 yards from the shore be allotted on the following frontage:

Russia: One hundred yards to the east of the Russian pier to 50 yards to the west of the same.

Austria: A frontage of 50 yards from the west of the Russian portion.

France: A frontage of 85 yards from the west of the Austrian limit.

Germany: From the west of the French limit to the west of the German pier.

Japan: From the west of the German pier to 25 yards east of halfway to the British pier.

Italy: From the west of the Japanese limit, with a frontage of 50 yards.

Great Britain: From the west of the Italian limit to 50 yards to the west of the British pier.

The limits to be shown by landmarks and not flags. No buildings except guard-rooms, small store, and bathing sheds may be erected. With the foregoing exceptions, no other buildings are to be constructed on the sea front south of an imaginary line joining the front of the three yamens.

(5) *Miscellaneous.*—It was unanimously agreed that all flags be removed, except on the forts and buildings occupied by troops, railway buildings and stations, piers and the beach, for the purpose of aiding navigation.

That rifle ranges may only be constructed to the east of the Great Wall and the west of the main creek near Fort Count von Waldersee, firing toward the sea in both cases, or to the north of the city, firing toward the hills. No rifle range may be taken into use until approved by the senior officer of the troops.

The repair of roads according to the attached map marked B is unanimously agreed to.

The guards over the city gates to remain until there is a properly constructed government.

(6) It was agreed that the above clauses are to come into effect from the date of receiving the sanction of His Excellency Count von Waldersee and the concurrence of General Voyron.

Germany: Colonel VON BOSSE.
Austria: Lieutenant DEMETER.
France: Colonel PARES.
Great Britain: A. J. F. REID, *Major-General, President.*
Italy: Captain DENTICE.
Japan: Colonel WATANSBE.
Russia: Colonel GLINSKY.

(*A.*)

[Note for committee.]

1. The semipermanent garrison—that is to say, the garrison of the allied troops that will remain at Shanhaikwan and Chingwangtao until such times as the allied powers agree to its withdrawal—will be about 1,500 men, Germany, France, Great Britain, Japan, and Russia each giving about 300 men. Italy will also leave a small guard (150 men) and Austria 30 men.

2. The committee is to consider—

(*a*) What forts, buildings, and lands at Shanhaikwan are required and should be retained for the above garrisons.

(*b*) How the foreshore and beach at Shanhaikwan should be allotted.

(*c*) Any other point which may be brought up by any member of the committee.

5. It has been decided by Field Marshal Count von Waldersee, with the concurrence of the general in chief command of the French troops, that senior officer present at this committee should act as president; that all questions should be decided by a majority of votes, and that all decisions thus arrived at be considered as binding and final.

Mr. Rockhill to Mr. Hay.

No. 123.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 22, 1901.

SIR: For your information in connection with my No. 118 of the 15th instant, and in view of the possibility of some action being taken by the representatives of the powers to secure Japan against loss in

the settlement of her claims against China, I have the honor to inclose herewith a copy of the formal memorandum sent to the diplomatic body yesterday by the Japanese minister, showing that the actual rate of interest on Japanese 4 per cent bonds, both at home and abroad, is above 5 per cent, and that she will suffer a loss of at least 1 per cent in the interest on her claim by accepting Chinese bonds bearing interest at 4 per cent.

I am, etc., W. W. ROCKHILL.

[Inclosure.—Memorandum.]

LEGATION OF JAPAN IN CHINA,
Peking, June 21, 1901.

According to the information in my possession, the average quotation in London of Japanese 4 per cent bonds for the last five months was 79.18 per cent, and since the 8th of May it has been invariably below 78 per cent. The current quotation in Tokio of Japanese 5 per cent bonds is 86.20 per cent, so that the actual rate of interest on Japanese bonds is above 5 per cent both at home and abroad.

Japan's claims for indemnity having been calculated on the basis of immediate payment, if she is to receive Chinese bonds bearing interest at 4 per cent she will actually suffer a loss of at least 1 per cent in the interest on her claims, which amounts to 50,074,000 yen up to the Ist of July. Consequently, if Japan's claims are paid at once, they are 50,074,000 yen, but if paid on 4 per cent bonds with the system of amortization adopted by the corps diplomatique, they are 57,942,247 yen—that is to say, an increase of 15.713 per cent of the original claims, which is 7,868,247 yen, equivalent to 5,590,389 Haikwan taels at the rate of Haikwan tael 0.7105 for 1 yen.

KOMURA.

Mr. Rockhill to Mr. Hay.

No. 124.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 24, 1901.

SIR: For your further information in connection with my No. 122 of the 22d instant, regarding the military occupation of Shanhaikwan, I inclose herewith translation of a declaration of the Russian military agent in China, reserving to his Government the right of having as Russia's quota of the garrison at Shanhaikwan as large a number of troops as she may deem necessary to discharge the duties devolving upon her.

This document should have accompanied my previous dispatch on the subject.

I am, etc., W. W. ROCKHILL.

[Inclosure.—Translation.]

General de Wogack to Count von Waldersee.

MILITARY AGENT IN CHINA,
Port Arthur, May 16, 1901.

EXCELLENCY: I have the honor to acknowledge receipt of your letter dated the 3d of May.

While agreeing perfectly with all the other decisions taken at the conference of the commanders of the allied contingents, held on the 29th of April under your high presidency and at which I had the great regret of not being able to be present for reasons beyond my control, I can not, according to my instructions, accept as definitely decided the resolution fixing the garrison of Shanhaikwan at 1,500 men furnished by five of the allied powers, including Russia.

As Russia has at present to insure protection of the railway line from Shanhaikwan to Niuchwang (Yinkow) and toward Hsinminting, she is, through that fact, in a peculiar position, as a result of which it may happen that she may deem it necessary to have at Shanhaikwan a stronger garrison than that indicated so as to be able to effectively insure security of the head of this railway line; and for that reason she declares to reserve to herself full liberty to fix the number of her proportion of the garrison of Shanhaikwan to the strength which she may deem necessary to discharge the duties devolving upon her.

Please accept, Monsieur le Maréchal, the assurance of my very high consideration.

WOGACK, *Major-General.*

Mr. Rockhill to Mr. Hay.

No. 125.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 25, 1901.

SIR: Article XI of the Joint Note of the 22d of December last stipulates that "The Chinese Government agrees to negotiate the amendments deemed necessary by the foreign governments to the treaties concerning commerce and navigation and other subjects touching commercial relations, with the object of facilitating them."

Throughout the present negotiations the representatives of the powers have deemed it advisable not to broach commercial questions, reserving their consideration until after the final settlement of the other articles of the Joint Note. The only exception which has been made was the agreement, which I secured during the recent discussions concerning the revenues to be used by China in the payment of interest on indemnities, to ask of China, in consideration of the increase of the tariff on imports to an effective 5 per cent, that the Chinese Government should undertake the improvement of the waterways leading to Shanghai and Tientsin, and also revise the customs tariff on imports.

All of my colleagues are of opinion that any negotiations on commercial subjects must be deferred until next winter at least, and many of them think it will be quite impracticable for all the powers to negotiate jointly on these subjects with the Chinese Government, most of them believing that if such a plan were adopted negotiations would be greatly protracted and probably no practical results obtained.

Most of the obstacles to trade, of which the American as well as other foreign merchants in China complain, are so intimately connected with the question of inland taxation that unless some method can be devised for either abolishing the inland tax or regulating it more satisfactorily than at present, it seems to me improbable that any great results can be expected from a revision of our commercial treaties.

Forseeing this difficulty to future negotiations, my Japanese colleague and I submitted to the diplomatic corps the memorandum, copy of which I sent you in my No. 114, of the 11th instant, advocating a raising of the tariff on imports to 10 per cent with compensating commercial advantages. It is a matter of great regret that the opposition of the British representative here prevented its discussion, for it was, in its general line, acceptable to the Chinese Government and, I believe, might have secured promptly to foreign commerce more advantages than it seems likely to gain for some years to come, if the plan of jointly negotiating treaty revision is carried out.

In your dispatch No. 20, of April 11 last, you outlined the views of the United States concerning treaty revision. As instructed by you, I have sounded my colleagues on the views contained in the instruction cited, and while many of the points you mention therein are in entire agreement with the instructions they have from their own gov-

ernments and coincide with their own views, others, they are inclined to think, are of doubtful expedience, or impracticable. Among these latter I may mention the throwing open of the whole of China to foreign residence and trade, and the provision that the principal commercial powers should have advisory representation in the customs administration. The extraterritorial rights of foreigners would create endless difficulties to China and the powers if foreigners of all classes were given a free run all over the Empire. This is but one objection to the proposal; there are others of a political character, perhaps even more serious, * * * * *

As regards the proposal that the principal commercial powers shall have advisory representation in the customs administration, it is claimed, and I think rightly, by my colleagues that it would be impossible to exclude any of the powers from such representation and, further, such representation would result in bringing about just what all of the powers have been seeking to prevent, i. e., direct international interference in the financial administration of the Empire.

As to your suggestion that some of the articles on the tariff of imports be subjected to a duty as high as 15 per cent, this will also be strongly objected to, especially by the Japanese, who will not, I have been repeatedly told, agree to any raising of the Chinese tariff above 10 per cent, which is practically all that Japan has been able to secure for herself under her recently negotiated treaties.

All of my colleagues approve, in principle, of the suggestion made by you "that the farming of China's revenues should be restricted, if not wholly discontinued, and a uniform and honest Imperial fiscal system substituted;" but, while deeming it highly advantageous to China, as well as to foreign interests in China, they are of opinion that it must be the gradual outcome of general reform of the Empire, which we all hope for, but which few, if any, of us will live to see carried through, if present indications are not absolutely misleading.

I am, etc.,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 127.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, June 27, 1901.

SIR: The extraordinary mission to Berlin, to express the regrets of the Emperor of China for the assassination of the former German minister here, provided for in article 1 of the Joint Note of December 22 last, expects to sail from Shanghai for Germany on or about July 20, 1901. It is led by the brother of the Emperor, Prince Chün, and consists, all told, of some 40 persons. I am informed that after the completion of its official business, the mission is likely to return to China via the United States and Japan, and a stay of a fortnight, or more, is contemplated in the former country.

Article III of the Joint Note provides for reparation being made by the Chinese Government to that of Japan for the assassination of the chancellor of its legation here. A high Manchu official, Na Tung by name, a former minister of the Tsungli Yamen, and a vice-president of the Board of revenue, will go to Japan during the month of August to express to the Japanese Government the regrets of the Empire of China for the murder.

I am, etc.,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 128.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, July 3, 1901.

SIR: In my dispatch No. 55, dated March 24 last, I informed you that in view of certain opposition on the part of some of my colleagues, and disinclination on the part of the Chinese plenipotentiaries to take up at that time the question of the rehabilitation of Chang Yin-huan, I would reserve to a more propitious moment the endeavor to carry out your instructions in the matter.

On Saturday of last week, while calling on the viceroy, Li Hung-chang, I referred to your instructions concerning Chang Yin-huan and expressed the hope that the Imperial Government would perform the act of justice the United States wished to see done. I stated to the Viceroy that if Prince Ching and he would memorialize the Throne on the request of the United States alone in the matter, I would be much pleased. * * *.

The Viceroy stated that although he and Prince Ching personally would be quite willing to urge the matter on the single representation of the United States, he thought their memorial might be more promptly complied with if Great Britain, whom he knew was also interested in the case of Chang Yin-huan, addressed a request similar to the one I proposed making. Although the Viceroy did not commit himself in expressing an opinion as to the probable outcome of the representations which he agreed to make the Emperor in the matter, I am led to believe that some action will be taken; probably, however, no posthumous honors will be granted to Chang Yin-huan, but his name will be cleared of the crimes which now tarnish it.

I inclose herewith copies of the notes sent by the British minister and myself to the Chinese plenipotentiaries on this subject.

I am, etc.,

W. W. ROCKHILL.

[Inclosure No. 1 in dispatch No. 128.—Translation.]

Mr. Rockhill to the Chinese plenipotentiaries.

PEKING, *July 2, 1901.*

HIGHNESS, EXCELLENCY: Among the high Chinese officials who lost their lives during the troubles of the last year was Chang Yin-huan, who was decapitated in July last while in exile in Turkestan.

Chang Yin-huan was Chinese minister to the United States from 1885 to 1889 and during his stay in the United States won the respect and affection of all with whom he came into contact, whether officially or socially, and did much to strengthen and render more close the friendly relations between our countries.

Although his death occurred eleven years after his departure from America the news was received at Washington with sincere sorrow, and the Government of the United States felt that it had lost a friend and China a servant of commanding ability.

Confident in the belief that his Imperial Majesty, the Emperor of China, must be desirous of performing an act of justice to the memory of one who served him so long and so well and whose sudden execution can not be explained except as instancing further proof of the excitement of the times, the President of the United States has instructed me to request your highness and your excellency to memorialize the Throne to the end that all the marks against the name of Chang Yin-huan be removed and posthumous honors be conferred upon him. The Government and people of the United States of America will see in the performance of this act by China a further proof of the spirit of friendliness and justice which has always marked the intercourse between the two countries.

I avail myself, etc.,

W. W. ROCKHILL.

[Inclosure No. 2 in dispatch No. 128.—Translation.]

Sir Ernest Satow to the Chinese plenipotentiaries.

HIS BRITANNIC MAJESTY'S LEGATION,
Peking, July 2, 1901.

YOUR HIGHNESS AND YOUR EXCELLENCY: I feel that it is my duty to bring to the notice of your highness and your excellency the case of Chang Yin-huan, formerly minister in the tsung-li yamen, who was decapitated last July while in exile in the New Dominion.

Chang Yin-huan was well known to His Britannic Majesty's Government, and was held in esteem by my predecessors, Sir N. R. O'Connor and Sir C. McDonald. He was sent as special ambassador to England on the occasion of the diamond jubilee of the late Queen Victoria, and he received the grand cross of a high order from Her Britannic Majesty's Government. Moreover, it was generally felt at the time of his exile that he was more unfortunate than culpable, and it was fully expected that His Imperial Majesty, the Emperor, would see fit in the course of time to restore him to rank and favor. His execution in a time of disorder, and after he had, in a measure, expiated his original fault, has been the source of sincere sorrow to all those in England who knew him.

I am sure that His Imperial Majesty, the Emperor, can only desire that justice be done to the memory of an old and faithful servant, and I would therefore request your highness and your excellency to memorialize the Throne in order that Chang Yin-huan's record may be cleared and his honors restored. Such an act of grace will be thoroughly appreciated by the people and Government of Great Britain.

I avail myself, etc.,

ERNEST SATOW.

Mr. Rockhill to Mr. Hay.

No. 129.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, July 3, 1901.

SIR: The diplomatic corps held a meeting to-day to consider (1) a new plan of amortization of the indemnity debts, (2) the proposition submitted by me on the 8th of June last that further negotiations concerning the settlement of the indemnities should be transferred to The Hague tribunal, and (3) the transfer of the local administration of Peking to the Chinese authorities, and other pending questions.

The amortization scheme and the details given by the German minister concerning it will shortly be printed, and I will transmit copies to you as soon as received.

It was agreed that the Chinese plenipotentiaries should be informed that their troops could approach to within 20 li of Peking, but the date on which said troops would be allowed to enter the city was not stated. It will, I suppose, be only after the evacuation by the expeditionary forces. It was also agreed to issue a proclamation in the name of the powers reciting the events which have brought about the occupation by the foreign forces of the province, and the conditions under which they now evacuate it.

The Russian minister stated that his Government accepted the two commercial compensations asked for by me in consideration of our agreeing to the raising of the tariff on imports to 5 per cent effective; it also accepted as a mode of payment of the indemnity 4 per cent bonds at par, but on condition that all the powers did likewise; if any power asked special advantages for itself his Government would also ask for them. This latter, of course, refers to the reservation made by the Japanese Government concerning its inability to accept without a loss 4 per cent bonds at par. The objections of the Japanese Government were communicated to you in my No. 123, of the 22d ultimo.

The question of the currency in which the indemnity is to be asked of China was then taken up. Most of the representatives have formal instructions to insist that the bonds given them shall be in the gold currency of their respective countries. This, of course, will be impossible, as the indemnity is to be asked without details or explanations. It seems to me that it should be calculated in Haikwan taels at a rate to be determined.

The question of the payment of private claims was then considered. The German representative was in favor of China contracting a special loan for this purpose, so that they could be paid off immediately in cash, as his Government had informed him that it could not undertake to negotiate the bonds paid it on account of private claims. This scheme did not meet with general favor. I stated that the United States would see to the payment of the claims of its own citizens out of the amount paid it as an indemnity by China. The French minister made a similar declaration.

I then stated to the diplomatic corps that nearly a month ago I suggested to them the advisability of transferring future negotiations concerning the indemnity to The Hague tribunal; that to enable them to get instructions from their Governments regarding the matter I had not formally called the matter up since the 8th of June, and I trusted they were now in a position to give me their views on the subject, so I could communicate them to my Government. I referred to the difficulties which still beset our way; the fact that we had not as yet reached even a formal agreement as to the amount of the indemnity to be asked of China; that the question of interest also divided us, and that innumerable questions were cropping up daily, all of which tended to demonstrate that the suggestion made by the United States was probably the only one which could insure a settlement of this complicated matter. I said that my Government was willing and desirous that either the whole question should be submitted to The Hague tribunal, or, in case that could not be agreed upon, such portions thereof as it seemed impossible to settle here.

I was surprised to find that, with the exception of the British minister, none of the representatives were in a position to speak on the subject. I stated that the proposal of the United States was not a new one, that it had been before the conference for five months, and that I anticipated that it had received due consideration. I shall avail myself of any opportunity which may hereafter present itself to bring the subject again before them.

The British minister said that he had received instructions on the subject from his Government, but as his colleagues had not heard from theirs, he would communicate his to me privately. In substance the British Government deems it either too late to submit many of the questions connected with the indemnity to arbitration, or is assured that such reference will be opposed by some of the other powers. It thinks, however, that the matter of the distribution of the indemnity might properly be submitted to The Hague conference.

The opposition of the British Government to the Russian proposal that the tariff on imports should be raised in the event of payments on account of the indemnity not being regularly made still blocks the way to Russia's acceptance of 450,000,000 taels as the lump sum to be asked of China, and also to her agreeing to the revenues to be assigned

for the purposes of payment on account of interest. How long this difficulty may last I have no means of knowing. * * *

Altogether, the present outlook for a prompt solution of the indemnity and financial questions is not by any means as bright as it was when I telegraphed you on the 15th of last month.

* * * * * * *

I am, etc.,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 130.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, July 8, 1901.

SIR: I have the honor to transmit herewith, for the information of the Department, certain correspondence concerning the further improvement of the water approaches to Tientsin. This matter was first brought to the attention of the Department by Mr. Denby in his dispatch No. 2715, of March 19, 1897. The greater part of the works undertaken in 1898 were destroyed during the troubles of last year, but the benefits derived from them by Tientsin, and the possibility of improving the approaches to that city so that steamships might come up to it, as they did prior to 1886, have encouraged the foreign community to hope that by promptly and energetically prosecuting the works already begun the desired results might be readily obtained. Inclosures 1, 4, and 15 give a concise history of what has been done in the past and what it is now proposed to do.

In 1898 it was agreed by the foreign community to contribute, as its proportion of the fund necessary for the conservancy works, a municipal or river tax of 1 per cent on all duties payable on merchandise landed, and a loan of 150,000 taels at 6 per cent was contracted on that security. The chamber of commerce of Tientsin, in its communication of March 2 to the consular corps (inclosure No. 3), now suggests that this river due be doubled, and that the period of collection be extended to the year 1925. It is estimated that this tax will yield about 42,000 taels per annum, which sum will be sufficient for the payment of the interest and amortization on the 1898 loan which is to be extinguished in 1909, and of which 130,000 taels remain outstanding; also for the new 7 per cent loan of 300,000 taels which it is proposed to contract.

The total cost of the works to be executed is roughly estimated at 500,000 taels. The Provisional Government of Tientsin will temporarily contribute a monthly subsidy of 5,000 taels for current expenses until the loan can be made, and are willing to assume one-half the expenses of the work to be undertaken. The new committee for the preservation and navigation of the Peiho was, after some discussion between the diplomatic and consular corps on one side and the foreign military authorities on the other, finally organized, and on June 11 commenced the discharge of its duties. (Inclosure No. 11.)

The proposal of the chamber of commerce, that the river due should be increased to 2 per cent, was submitted by the senior consul at Tientsin to the diplomatic corps in his letter of June 20 (inclosure No. 13) and was duly approved by the latter on the 3d instant.

Although without definite instructions on the subject, I did not hesitate to agree to this slight increase, in view of the Department's previous instructions to Mr. Denby when he approved the tax of 1 per cent for the same purpose. The Secretary of State then wrote Mr. Denby, in reply to the latter's No. 2911, of April 13, 1898, approving his action, "the proposed tax appearing to be proper in principle and not enormous in amount." (Mr. Day to Mr. Denby, No. 1591, of May 27, 1898.)

The continuance of the financial aid of the Chinese Government after the dissolution of the Provisional Government at Tientsin will be insured by the provision to be inserted in the agreement to be made with it regarding the financial measures to be taken for the payment of the indemnity, wherein it will be stated that in consideration of the raising of the tariff to 5 per cent, effective on imports, China will participate financially in the improvement of the Peiho and Whangpu rivers.

I am, etc., W. W. ROCKHILL.

[Inclosure 1.]

Tientsin General Chamber of Commerce to Dean of consular corps.

TIENTSIN, *February 13, 1901.*

SIR: By desire of the committee of this chamber, I have the honor to address you on the subject of the further improvement of the water approaches to these settlements and the native city.

It seems to be generally admitted that the works already carried out by Mr. De Linde have proved of very material advantage, and have in a large measure restored the water communication between the settlement and Taku. Lighters and small steamers have been able to navigate the river and reach Tientsin during the past year on a much heavier draft and with less difficulty and risk of collision than has been the case for several years past. This in itself has proved of immense benefit to the general trade of the port and has fully justified the comparatively small expenditure which has been made up to the present time.

Having regard to the decreased rainfall during the last two seasons and taking in consideration the vast accumulation of silt, it naturally follows that some time must elapse before the river is restored to a condition to enable steamers to safely navigate the channel, as was the case previous to the years 1885, 1886. But there seems little doubt in the minds of those qualified to express an opinion that the results obtained must be regarded as satisfactory and encourage the hope that further work will ultimately achieve the desired success. Mr. De Linde's original plans for dealing with the river embraced the cutting of several bends to not only shorten the river, but also to obtain the fullest advantage from the incoming tide and the natural increase of force of the outgoing current, which it is calculated would remove the silt accumulation within a very much shorter period than could possibly occur under other circumstances. My committee, in consultation with gentlemen representing the shipping interests of the port, have carefully considered the question, and I am directed to inform you that we are unanimously of opinion that some steps should be taken at once to adopt the recommendations contained in Mr. De Linde's reports of 1890 and 1901 (copies of which I understand are in your possession), and to proceed at once with the work of cutting the Tientsin and arsenal bends together, with certain other measures embodied in these reports.

In view of the fact that the country between Tientsin and Taku is now under the jurisdiction of the provisional government, the committee think the time most opportune for dealing with the matter, as the many difficulties incidental to such an enterprise can be more effectually dealt with. It is estimated that to cut the two bends named, modify the radius of other bends, and obtain certain reaches, will require the expenditure of some 300,000 taels. As my committee anticipate that difficulties may arise in connection with raising such funds, this aspect of the question has been discussed very fully, and I may say, for your information, that the chamber, subject to the appointment of a duly constituted conservancy board representing the various

interests involved to insure a continuity of policy, will be prepared to formulate a scheme for the approval of the diplomatic body in Pekin.

In asking you to place this matter before your colleagues, I venture to hope we may receive your invaluable support and assistance, and that the question may be considered with as little delay as possible.

I have, etc., W. W. DICKENSON, *Chairman.*

[Inclosure 2.]

M. du Chaylard to the Chamber of Commerce.

CONSULAT DE FRANCE À TIENTSIN, *February 25, 1901.*

SIR: I have the honor to inform you that I have submitted to my colleagues the letter which you addressed to me under date of February 13 last, relative to the proposed measures in connection with the river improvement scheme. The consular body will do all in their power to further the measures which the Chamber of Commerce proposes, and will, as soon as they receive it, carefully go into the scheme which you promise to submit.

I am, etc., DU CHAYLARD.

[Inclosure 3.]

Chamber of Commerce to the Consular corps.

TIENTSIN, *March 2, 1901.*

SIR: I have the honor to acknowledge the receipt of your letter dated February 25, in which you are good enough to inform me that the consular body, having considered my letter of February 13 on the subject of river improvement, are willing to do all in their power to further the measures proposed by the chamber and requesting me to submit for their consideration our views on the subject. In accordance with that request I have now the pleasure to bring before you for the consideration of the consular body the opinion of this chamber on the question of administration and our suggestions for raising the required funds.

Administration: For the proper control of the works and finances to insure a continuity of policy until all loans and obligations are fully discharged, it is absolutely necessary that a conservancy board be constituted, and it seems most desirable that such a board should represent all the interests involved.

My committee think a board constituted as follows would meet these requirements and not prove too cumbersome to be effective: Doyen, or nominee of the consular body; a member of the provisional government; the commissioner of Imperial maritime customs; a representative of the shipping interests; a representative from each properly constituted foreign municipality.

It is suggested this board be especially empowered to—

A. Assume full control of the river works already created.

B. Accept all the obligations pertaining to the scheme of 1898 now in existence.

C. Assume all financial control.

D. To appoint an expert consulting engineer.

Finance: The 6 per cent municipal loan issued in 1898, to provide the foreign contribution for the scheme of that year, was for 150,000 taels, and of this amount 130,000 taels remains outstanding at the present time.

As security for the payment of interest amortization the sanction of the ministers and Chinese authorities was obtained to levy dues of 1 per cent on duties paid in the ordinary way to the Imperial customs. There were a few slight modifications made in the river-dues tariff to meet especial cases, and the period of collection was from August 1, 1898, until 1910 (twelve years), by which time it was calculated the whole obligation would be liquidated.

For the first complete year the amount so collected was, after deducting the cost of collection, about 21,000 taels, or slightly below what had been estimated, but still fully sufficient to meet the financial requirements. It is estimated that to provide funds for the new works in contemplation a further sum of 300,000 taels will be required, and my committee proposes that this sum be raised by the issue of bonds under the seal or seals of the municipalities, as was the case before. Owing, however, to different financial conditions prevailing now, a rate of 7 per cent interest instead of 6 per cent must be provided for. As a first security for the payment of

interest and amortization of this proposed loan, it is absolutely necessary that calculation should be based upon a revenue likely to arise from shipping or otherwise, when steamers are able to reach the bund, and it is therefore proposed that the existing river dues of 1 per cent should be doubled (making the levy 2 per cent on duties) and that the period of collection be extended until 1923, or twenty-five years from the original date.

Based upon the figures previously referred to, this would produce an annual sum of 42,000 taels, which would be sufficient to terminate the existing loan of 130,000 taels, and the new 7 per cent loan of 300,000 taels in 1909 and 1919.

My committee wish to urge upon you the principle that all craft deriving benefit from the improved condition of the river should be called upon to contribute in some form to the general funds, and the chamber therefore earnestly submits for yous consideration the following proposals, viz:

1. That all lighters coming to the bunds and wharves, or discharging in the Tientsin reach, shall contribute 5 candareens per ton (dead weight) on the cargo brought up in their own bottoms. Provided always, that such charge shall not be made if the depth of water in any part of the river between Taku and Tientsin be less than 9 feet.

2. That all steamers coming to the bunds and wharves, or discharging in the Tientsin reach, shall likewise contribute 5 candareens per ton (dead weight) on cargo brought up in their own bottoms.

3. That seagoing junks and sailing vessels reaching Tientsin shall also pay a proportionate sum.

4. That all revenue arising from any or all of the above sources to be applied as follows:

(*a*) Two-thirds of the sum, after deducting the cost of collection, to the immediate redemption of bonds.

(*b*) One-third of the sum shall be set apart to form a maintenance fund.

In view of the fact that the revenue to be derived from any of the sources is problematical, it is not possible to form any estimate of what the product will be, but my committee have so much confidence in the final success of the scheme that they are of the opinion that even at the extremely moderate rates named the whole liability in connection with the loans would be cleared off in a very few years.

I may mention for your information, that on the distinct understanding that the levying of dues (on duties and craft) will only remain in force as long as the financial obligations named above exist, I have reason to believe the steamship companies will offer no objections to the proposals.

W. W. DICKENSON,
Chairman Chamber of Commerce.

[Inclosure 4.—Translation.]

Dean of Consular Corps to Dean of Diplomatic Corps.

TIENTSIN, *March 18, 1901.*

MONSIEUR THE DEAN: Since the silting up of the river has prevented steamers from coming up to Tientsin, the consular corps, the chamber of commerce, and the municipalities duly preoccupied by this condition, so prejudicial to the general interests of this port, have endeavored to make the course of the Peiho available again for steam navigation.

In 1897, after a series of long and difficult negotiations with the Chinese authorities, an understanding was happily reached on a plan drawn up by Mr. de Linde, a Danish engineer, which entailed a general outlay of 315,000 taels, of which amount it was decided to devote in the first place 250,000 taels to carrying out the most urgent works needed for raising the level of the river. The viceroy of Pechili consented to contribute the sum of 100,000 taels, and the foreign community was to raise itself the balance of 150,000 taels to insure the payment of interest and the amortization of the loan decided upon.

In the first place, the foreign commerce expressed itself in favor of a method of taxation to be settled upon to which foreign enterprise and native traffic were alike to be subject. This plan was, however, shortly after abandoned, and so as to prevent any loss of time a plan was adopted which was more readily applicable and was based on the creation of a municipal tax, due on entry and leaving, on all merchandise subject to the payment of customs dues. The levying of this was to be done in the name and for the account of the municipalities, through the customs administration,

for a period of twelve years from the 1st of August, 1898, to the 1st of August, 1910. Such was the condition of the question, of which I have only outlined the general features, when it was submitted to you with all details in a letter dated the 5th of August, 1898, by Mr. Tei,[1] at the time dean of the consular body, with a request that you submit it to the diplomatic corps, and obtain from it the necessary agreement for the establishment of the tax referred to. With a promptitude for which the foreign community of Tientsin has always shown itself deeply grateful, the proposition was presented by you to your colleagues, and a few days after you returned it to Mr. Tei with their unanimous assent. A loan of 150,000 taels was shortly after contracted at the Hongkong and Shanghai Banking Corporation by the British municipality, and on the 26th of July a contract with Mr. de Linde for a period of two years was signed by him, the dean of the consular corps, the taotai, and the commissioner of customs, and the works, the control and supervision of which were intrusted to the dean and to the taotai, commenced on the 1st of August.

The works were continued without interruption until the 25th of May, and have been carried out in the most satisfactory way. All the dams were finished when hostilities broke out, and a very decided improvement had already taken place in the river, the level of which had risen and had been maintained at an average of 10 feet of depth, allowing boats, if they had not been impeded by the sharp bends of the river, to come up to Tientsin. Serious damages, happily repaired since, thanks to the financial aid given by the British military authorities, have restored things to the position in which they were before the insurrection, and the satisfactory results which I previously indicated may be considered as definitely secured.

Calm being reestablished, the chamber of commerce of Tientsin, anxious to carry out in full the programme of 1897 and to see completed the de Linde plan, has again requested the aid of the consular body, and has transmitted to me, under date of the 2d of this month, a very full memorandum, which forms the inclosure No. 1 and which contains the following propositions, which, briefly stated, are:

1. Formation of a committee composed of the dean of the consular corps, of a member of the provisional government of the Chinese City, or, failing that, of the customs taotai, of a representative of the shipping interests, of a representative of the already organized foreign municipalities, and of the consul of the power being without any municipal organization, said committee to be intrusted with examining the works already executed, and of ascertaining whether all the provisions of the contract of 1898 have been fulfilled, to control expenses, and, finally, to nominate an expert engineer.

2. Project of a loan for the sum of 300,000 taels, necessary for finishing the works, to be guaranteed by the municipalities as the previous one, with interest at 7 per cent, instead of at 6 per cent, by reason of the present financial conditions.

3. Increase to 2 per cent, instead of 1 per cent, of the municipal taxes, and extension of the period during which it should be levied until the 1st of August, 1923, instead of 1st of August, 1910, the date previously fixed upon.

4. The fixing of a tonnage due of 5 candareens a ton on steamers, cargo boats, seagoing junks, or sailing ships coming up to Tientsin and unloading their cargoes there.

5. The following appropriation of the taxes levied: Two-thirds to interest and amortization of the loan, and one-third to form a reserve fund.

These various propositions have been unanimously accepted by the consular corps, and I have been directed to transmit them to your excellency with the request that you secure the approval of the diplomatic corps to them, said approval being awaited so that the loan in question may be issued without any delay.

One of my colleagues, the German consul, has expressed the wish adopted by all, to see eventually the tax of 2 per cent transformed into a fixed tonnage due, to be levied on all ships coming within the waters of Tientsin. But this measure, requiring the sanction of all Governments, could only be carried out after more or less delay, and it seems for the time being preferable so as to escape all delay, of following a method similar to that adopted in 1898 and to provide for actual requirements by a municipal tax.

I must finally inform your excellency and beg you to call the attention of all of your colleagues to the semiconflict which has arisen between the consular corps and the provisional government, which, though it existed previously in a latent state, has only broken out through improvement of the river. The incident which took place on this connection has raised a question of principle which can only be settled by the diplomatic corps, and I am instructed by my colleagues to request, through your medium, a decision determining definitely the rôle and the attributions of each of the parties. The letter by which the provisional government notified me under date of the 22d of August of its assumption of power, which dated from the 25th of

[1] Inclosed in Mr. Denby's No. 2911 of April 13, 1898, to the Secretary of State. (W. R.)

July, contains a declaration, the importance of which can not escape you. "The council," it is there said, "being the emanation of all the powers, shall enjoy, within the territory which is confided to it, absolute independence, and shall comply, so far as possible, with all the demands which may be made of it, as well by the commanders of the allied troops as by the consuls of the foreign powers."

We all experienced a certain amount of surprise in learning that the provisional government which we thought was only a delegation of the generals commanding the allied troops and specially charged with the administration and police of the city and its surrounndings having no political character and no authority over foreigners, considered itself on the contrary as the emanation of the powers who had already permanent and authorized representatives in the persons of their ministers; that it reserved to itself the right to pass on the requests which would be made to it by the foreign consuls. Perhaps we should have protested at the time, but no difficulty having arisen for several months, we kept silence, trusting that nothing would arise obliging us to break it. But on the 12th of February, the provisional government, which could not ignore the fact that the consular corps had been the only one until then intrusted with the question of the improvement of the river, and had superintended the works, took the initiative of calling a meeting to which it invited the consuls and the presidents of the chamber of commerce and of the British municipality.

I informed my colleagues of the invitation which had been sent them, and we discussed together the answer to be made. It was unanimously decided to abstain, and I was directed by my colleagues to send a letter to the members of the provisional government, the terms of which were settled upon in a meeting, informing them of our decision.

I should add that the same action was taken by the presidents of the chamber of commerce and the British municipality.

In its turn, after having adopted in principle the conclusions reached by the chamber of commerce as regards the proposition of the committee of control of supervision, the consular corps requested me to ask the provisional government to designate one of its members to be present at a meeting of said committee, at which were to be examined the proposals of the chamber of commerce. Deeming doubtless either that its dignity did not allow it to respond to the requests of the consuls, or that it could do without their assistance, the provisional government informed me by letter that it did not consider that it could agree to send a delegate. It ended this communication by stating that it had given orders for beginning the works in the shortest period possible, and that it would be happy to see a member of the consular corps on the commission it had organized for that purpose.

This statement will enable your excellency to understand the situation and to realize that it can not continue without serious inconveniences. If the provisional government is qualified to look after the commercial interests of the various nations confided until the present time to the consuls under direction of their various ministers; if it has the power to have approved by the diplomatic corps the impost of taxes destined to insure the payments on a loan contracted for works of general usefulness, the consular corps is ready to bow to the decision of its chiefs, but if as it hopes, the latter's rights are maintained, it thinks that two committees are useless, and that the provisional government, whose suggestions will always be listened to, and which will furthermore have, just as the consular corps, a vote in the committee, should be notified to join it and to deposit in the common fund the sums which it proposes to expend on the Peiho works.

It is with the most absolute confidence that in the name of my colleagues and my own, I place this case in your hands, certain that it can not find a defender more just and devoted.

Please accept, Mr. Dean, the assurances of my consideration.

DU CHAYLARD.

[Inclosure 5.—Translation.]

Mr. de Cologan to Marshal Count von Waldersee.

PEKING, *March 20, 1901.*

MONSIEUR LE MARECHAL: The diplomatic corps has examined most carefully and with great interest the communication which your excellency was pleased to make it in your letter of the 13th March, and which bears on the question of the measures to be taken to improve the navigation of the Peiho.

It saw that these measures had at the same time a military, commercial, and political character, and that as such they interested equally the military, consular, and

diplomatic authorities. It appeared, furthermore, that for several years past, as your excellency remarked, it has been called upon to occupy itself with this question, in conjunction with the governor-general of Chihli. After negotiations which took place at Pekin between the representatives of the powers and the Chinese Government, a committee composed of the dean of the consular corps at Tientsin, of the commissioner of the maritime customs and of the customs taotai, was intrusted with the supervision of the works which were to be carried out by the engineer chosen by the consular corps, and with the financial measures to be taken to insure said execution.

The diplomatic corps is of the opinion that to guarantee the continuation of the work of which it took the initiative, and to maintain its original character, it is necessary not to modify, any more than circumstances demand, the composition of the committee which it formed jointly with the Chinese Government.

Among the component parts of the committee there are two which subsist in the state in which they were at the time when this business was begun. These are the dean of the consular corps and the commissioner of customs at Tientsin. The customs taotai has disappeared with the local authorities, which have been replaced by the provisional government, who assumed its powers. It is consequently for the provisional government, invested with purely administrative powers, to delegate a representative so that the committee, incomplete as a result of events, shall be reconstructed and in a position to continue its labors.

The representatives of the powers are entirely in accord with your excellency and with the provisional government on the utility which necessitates the improvement of the navigation of the Peiho. It is particularly for that reason that they deem it proper to preserve the method which they have adopted, and to leave to the consular authority all the rôle which belongs to it in the accomplishment of this undertaking. If it were otherwise, the day when the local authorities shall resume the normal exercise of their functions shall substitute themselves in their turn to the provisional government, the consular corps would find that it had lost the benefit of its regular position, which would compromise its influence and might endanger all the interests which it has for its mission to represent.

The diplomatic corps is expecting a report of the consular corps on this subject. As soon as it shall have received and examined it, it will at once give the necessary instructions to the consuls so that the undertaking in which the provisional government so rightly interests itself may continue in the most favorable conditions, and to the satisfaction of all interests. I shall not fail to communicate these instructions to your excellency.

Please accept, Monsieur le Marechal, the assurances of my highest considerations.

B. J. DE COLOGAN.

[Inclosure 6.—Translation.]

Count von Waldersee to Mr. de Cologan.

PEKING, *March 25, 1901.*

EXCELLENCY: I have the honor to acknowledge the receipt of your excellency's letter of the 20th of March, concerning the steps to be taken for improving the navigation of the Peiho.

I can not but express my profound gratitude for the cordial reception given by your excellency to the views which I detailed in my letter of the 13th of March.

I have also to express my great satisfaction that my argument on the great value which, from a political, military, and commercial point of view, should be attached to the most prompt carrying out of the conservancy works in question, has met, in principle, with the approval of your excellency and your colleagues.

In my above letter of the 15th of March I inclosed the minutes of the provisional government of Tientsin relating to this business, and requested that they be returned to me when no longer needed. Not having received these minutes with the letter of your excellency of the 20th March, I beg that you will return them to me.

As to the question itself, fully appreciating the arguments adduced by your excellency, I deem it advisable that the conservancy works of the Peiho should be intrusted to the direction and subject to the control of a committee. By this means misunderstandings and conflicts as to competency will be most easily averted—conflicts which it would seem have already taken place at Tientsin, and through which the interests of all and the early execution of the works might be materially compromised.

For my part, I can have no objection to the composition of this committee as suggested by your excellency, to wit: A member of the provisional government, a member of the consular corps, and a representative of the maritime customs.

Likewise I can see no objection to representatives of the concessions at Tientsin being admitted to the meetings of the committee for consultation only. This committee would have to examine the question of the improvement of the Peiho from technical and financial points of view, and adopt on its own responsibility the necessary measures to reach a satisfactory result on all different points.

Since I am not in a position to give orders myself to the provisional government, being obliged previously to obtain the consent of the commanders of the various contingents, I shall not fail to ask their opinion immediately; but, I think I may count on their consent; consequently, to prevent all loss of time, I have taken the liberty of previously submitting in my own name to the consideration of the diplomatic corps the above-enumerated propositions.

As I am led to believe by some remarks contained in your letter of the 20th of March that there is some uncertainty as to the duty and the powers of the provisional government, I inclose a copy of the regulations drawn up by the commanders of the various contingents for the provisional government.

A. WALDERSEE,
General Field Marshal.

[Inclosure 7.—Translation.]

Mr. de Cologan to Count von Waldersee.

PEKING, *March 26, 1901.*

MONSIEUR LE MARECHAL: The diplomatic corps has read with great pleasure the letter of your excellency dated the 25th of this month, and bearing No. 1154. It has seen the agreement with you on the methods to be followed to continue as rapidly as possible the works for the improvement of navigation on the Peiho; it has decided to give as instructions to the consuls at Tientsin, who on their side had submitted the question to it, to reach an understanding with the provisional government to form the committee to which your letter alludes, to fix the powers of its members, and to prosecute the carrying out of the scheme in question.

As to defining the powers of the provisional government, and as to the regulations which your excellency was pleased to send me with the letter to which I am now replying, the diplomatic corps reserves to itself to inform you shortly of the manner in which they should be understood.

I inclose with this letter the documents sent in your communication of the 13th March, and which you have asked me to return to you.

I avail myself, etc.,

B. J. DE COLOGAN.

[Inclosure 8.—Translation.]

The Dean of the Diplomatic Corps to the Senior consul at Tientsin.

PEKING, *March 26, 1901.*

MONSIEUR LE DOYEN: I have received and communicated to my colleagues the letter which you wrote me on the 18th of this month, in the name of the consular corps of Tientsin, concerning the plan for improving the navigability of the Peiho.

Prior to this the question had been submitted to the diplomatic corps by his excellency Marshal Waldersee, in the name of the provisional government of Tientsin, and it had been called upon to express its opinion on the principal points submitted by you for the consideration of the representatives of the powers.

Inclosed you will find copy of the letter which my colleagues unanimously directed me to send to his excellency Marshal Waldersee, in reply to the one I had received from him.

In a second letter, of which I send you all the passages concerning the means which might be used to improve the navigability of the Peiho, his excellency Marshal Waldersee accepts for himself, and, subject to consultation with the commanders of the expeditionary corps, the constitution of a committee in which shall be represented the consular corps of Tientsin, the maritime customs, the provisional government, and the foreign commerce.

Such being the case, it seems to the diplomatic corps that it only remains to leave to the consuls to reach an understanding with the provisional government, to organize a committee to determine the powers to be granted its members and to carry on the execution of the plan, the history of which was very exactly outlined by you in the letter to which I had the honor to reply.

As to the question of principle resulting from the constitution of the provisional government and from the functions which it has attributed to itself, its importance can not escape the representatives of the powers, and I am directed by them to inform you that they have the question under consideration and will soon be in a position to inform you of their solution of it.

I avail myself, etc.,

B. J. DE COLOGAN.

[Inclosure 9.—Translation.]

Gene al de Gayl to Mr. de Cologan.

PEKING, *April 30, 1901.*

MR. MINISTER: As a continuation of his letter of the 25th of last March and at the same time as a reply to the communication of your excellency of the 26th instant, the commander in chief of the allied armies has the honor to inform your excellency that the commanders of the contingents represented in the provisional government of Tientsin have now agreed with the proposal to continue the works for the improvement of the Peiho through a committee composed as stated in the dispatch of the 25th of last month.

The time has therefore come for the consular body at Tientsin to appoint the member of the committee which belongs to it to designate, and the commander in chief of the allied forces requests you to take the necessary steps to this end with the consular body. In the interests of the undertaking all action taken in the matter will be greatly appreciated. Sir Alfred Gaselee particularly called the attention of the commander in chief of the allied forces to this subject.

As to the question who shall preside over the committee, the commander of the allied forces takes the liberty of proposing that the presidency shall be given to the member senior in rank who represents foreign interests. The member of the committee to be appointed by the provisional government of Tientsin could also for this purpose be considered as a representative of foreign interests.

By order of the commander in chief of the allied forces:

L. DE GAYL, *Major-General.*

[Inclosure 10.]

Senior consul at Tientsin to Dean of diplomatic corps.

TIENTSIN, *May 1, 1901.*

YOUR EXCELLENCY: I have the honor to address your excellency on the subject of the proposed conservancy board for the regulation of the Peiho River, the formation of which your excellency was good enough to state in your letter of the 26th of March had been approved by the diplomatic body in Peking.

After the departure of M. du Chaylard, the late doyen of the consular body at Tientsin, it fell to my lot, as his successor as senior consul, to invite my colleagues to a meeting to decide on the next steps to be taken for the definitive selection of the personnel of the new board.

This meeting was held on the 29th of April, and during the course of our discussion it appeared that minutes of the meeting of the 13th of March had been drawn up and signed by the late doyen and sent to one of our number, but the rest not having seen the document and no draft having been left in the doyen's archives, it was resolved to adjourn till next day, the 30th, to enable these minutes to be circulated.

We accordingly met again yesterday, and it is as a result of this second meeting that I am now addressing your excellency.

Your excellency will observe that part of M. du Chaylard's letter to your excellency of the 18th of March, which deals with the proposed composition of the conservancy board, is not altogether expressed in the same terms as are used in the minutes, a copy of which I have the honor to inclose herewith.

It was probably a consequence of the press of work, due to his approaching departure, that M. du Chaylard did not observe the appreciable variation between the two proposals on this head, as stated in his letter and in the minutes.

However, a certain degree of importance attaches to the point, and the three members of our body who were present at the meeting of the 13th of March, as well as at

those of the 29th and 30th of April, namely, the consuls for Belgium, Germany, and Russia, are of the opinion that the minutes represent more exactly what was agreed to at the earlier meeting than those of Monsieur du Chaylard's letter of March 18. Under these circumstances we have felt it best to bring these minutes to your excellency's notice, in order that the diplomatic body may be apprised of the facts above stated, and have opportunity, should they see fit, to signify their view as to which scheme for the composition of the conservancy board should be adopted—that specified in M. du Chaylard's letter or that contained in the latter part of resolution 2 of the minutes forwarded herewith.

I have the honor, etc.,

L. C. HOPKINS,
His British Majesty's Consul-General and Senior Consul.

[Subinclosure.]

Résolutions adoptées dans la réunion consulaire du 13 mars 1901.

1. Acceptation du principe même des travaux de la rivière.
2. Acceptation de la création d'une commission ainsi composée:
Doyen du corps consulaire;
Un représentant du Gouvernement chinois, soit actuellement un membre du Gouvernement provisoire et après sa disparition le tao-tai;
Président de la chambre de commerce;
Un représentant des municipalités étrangères existantes, et à défaut de municipalité constituée le consul ou son délégué;
Les représentants des compagnies de navigation.
3. Établissement d'un plan pour indiquer les travaux à faire sur les concessions pour maintenir à 100 mètres de largeur de la rivière, et entente entre les municipalités.
4. Désignation de M. de Linde comme ingénieur chargé de l'exécution des travaux.
5. Convocation pour samedi 16 mars à 10 heures du matin d'une réunion de la commission pour adopter une résolution définitive sur les voies et moyens.

Le Doyen du Corps Consulaire, Consul Général de France,

DU CHAYLARD.

[Inclosure 11.—Translation.]

Committee for the preservation and navigability of the Heiho (Peiho).

No. 1.] TIENTSIN, *June 11, 1901.*

MR. MINISTER: We have the honor to respectfully inform your excellency that as a result of your communication to the consular corps and of that of Marshal Count de Waldersee to the council of the provisional government of Tientsin this committee, composed of Major-General de Wogack, member of the council of the provisional government; Mr. L. C. Hopkins, consul-general of Her British Majesty and dean of the consular corps; Mr. G. Betring, commissioner of the imperial maritime customs at Tientsin, has met and entered upon the discharge of its duty.

We have the honor, excellency, etc.,

C. DE WOGACK.
L. C. HOPKINS.
G. DETRING.

[Inclosure 12.—Translation.]

Mr. de Cologan to the Committee for the preservation, etc., of the Peiho.

PEKING, *June 13, 1901.*

GENTLEMEN: I have had the honor to receive your letter of day before yesterday, by which you inform me that you compose the committee for the improvement of the navigation of the Peiho and that you have met and entered upon the discharge of your duty.

I hasten to inform my honorable colleagues, who, without a doubt, will learn with great satisfaction of the happy result.

Accept, etc., B. J. DE COLOGAN.

[Inclosure 13.]

Senior consul, Tientsin, to Dean of diplomatic corps.

TIENTSIN, *June 20, 1901.*

YOUR EXCELLENCY: I have the honor to inform your excellency that a plenary meeting of the Peiho River conservancy board was held yesterday afternoon, which, I trust that I am not oversanguine in thinking, should have important and satisfactory results.

Among the various questions that were then discussed was that of financial ways and means.

General de Wogack, the president of the board, having announced certain offers of financial assistance on the part of the Tientsin provisional government to the meeting on condition that the commercial interests concerned would raise funds on their side also, it was pointed out by the chairman of the chamber of commerce that the commercial interests were still willing to stand by their scheme of raising the necessary funds which was proposed in their letter of March 2, 1901, to my predecessor, M. du Chaylard, a copy of which was transmitted to your excellency by him in his letter of the 18th of the same month. That scheme was outlined in the following passage:

"As a first security for the payment of interest and amortization of this proposed loan, it is absolutely necessary that calculations should be based upon a revenue quite apart from any revenue likely to arise from shipping, or otherwise, when steamers are able to reach the Bund, and it is therefore proposed that the existing river dues (of 1 per cent) be doubled (making the levy 2 per cent on duties), and that the period of collection be extended until 1923, or twenty-five years from the original date."

The president of the chamber of commerce, however, now observed that no statement had yet reached the chamber that its proposals in this regard had received the approval and sanction of the diplomatic body in Peking.

Accordingly, with the assent of my colleagues present at the meeting, I offered to address your excellency on the subject, and to express the general hope that the explicit approval of their excellencies, the members of the diplomatic body, of this proposition to double the existing river dues may be signified to me for communication to the chamber of commerce, thus enabling the necessary steps toward raising the requisite funds to be taken without futher delay.

I have the honor to be, etc.,

L. C. HOPKINS,
His British Majesty's Consul-General and Senior Consul.

[Inclosure 14.—Translation.]

Mr. de Cologan to Mr. L. C. Hopkins, His Britannic Majesty's consul-general and senior consul at Tientsin.

PEKING, *July 3, 1901.*

Mr. CONSUL-GENERAL: I have the honor to inform you that the diplomatic corps has approved the proposal contained in your letter of the 20th of June last, to double the taxes already existing for the improvement of the navigation of the Peiho.

Please accept, Mr. Consul-General, the expression of my distinguished consideration.

B. J. DE COLOGAN.

[Inclosure 15.]

River Conservancy Board.

The question of rectifying the course of the Haiho (commonly called Peiho, from one of the several streams that converge at Tientsin to constitute that waterway) and of the work to be done to allow ships of a certain draft of water (12 feet to 12 feet 6 inches at the utmost) to ascend the river to the foreign concessions of Tientsin, is a very old one.

After the disastrous flood of the spring of 1890 His Excellency Li Hung Chang, then governor-general of Chihli, was induced to allow Mr. A. de Linde, Danish engineer,

to make surveys, on which a great scheme was proposed the same year by Mr. G. Detring, at the time and again at present, commissioner at Tientsin of the Chinese Imperial maritime customs. On the technical side this scheme had the advantage of beginning the work before the state of the river, as regards navigation, should get worse, as it has since done. As financial means Mr. G. Detring proposed to employ for the work the sum of 1,000,000 taels, subscribed in the south (Canton) for the benefit of the sufferers by the flood, and to repay this amount by annual installments by levying extra tonnage dues on every ship making use of the new channels. This would not have practically diverted the money from its intended object, as the work projected would have regulated the flow of the water so as to avoid future floods. A strong opposition on the part of the local Chinese officials, who feared that the free navigation of the river might interfere with their private interests, succeeded in defeating the scheme.

The state of the river grew worse and worse, so that in 1896, during several months, even lighters and tugboats could not come up to the concessions.

This aroused at last the commercial community and led, in the beginning of 1897, to the first negotiations between Count du Chaylard, French and senior consul; Mr. H. B. Bristow, Her Britannic Majesty's consul, with Mr. Ed. Cousins, chairman of the Tientsin general Chamber of Commerce, and Mr. de Linde, as adviser, on one side, and His Excellency Wang Wen-Shao, at the time governor-general of Chihli, on the other side—negotiations which concluded with the decision to undertake the first part of the work, amounting to 250,000 taels, and the appointment of a mixed commission to carry it on. This commission was composed of—

The Tientsin customs (Haikwan) Taotai.

Two Chinese officials nominated by the governor-general as the representatives of the two Chinese companies—China Merchants Steam Navigation Company, and Chinese Engineering and Mining Company.

The commissioner at Tientsin of the Chinese Imperial maritime customs.

Representatives of different shipping and lighters companies.

Representatives of the foreign concessions (in existence at the time).

Representatives of Tientsin general Chamber of Commerce.

The necessary amount of money was provided for by grants from the municipal councils of the foreign concessions and from the Taku Tug and Lighter Company, Limited, and an extra tonnage due of 3 candareens per registered ton, levied for each trip; this last income, the most important one (as the tonnage of the port being estimated at over 550,000 tons annually, it would represent more than three times the total amount of all the others) could not be levied until the work was finished and as certain powers formally objected to any increase in the tonnage dues, it became necessary to find some other income approved by everybody that could be raised at once. Finally it was agreed, with the approbation of the Chinese authorities and the foreign ministers at Peking, to levy an extra duty of one-half per mille "ad valorem" on all merchandise, to be collected by the Chinese Imperial maritime customs on account of the commission, to provide for the payment of interest and amortization of a loan of 150,000 taels—guaranteed by the municipality of the British concession, the governor-general giving the 100,000 taels necessary to complete the 250,000 taels—needed to have the work done. This being secured the work begun in the fall of 1898, and having been actively pushed since spring 1899, was nearly finished in spring 1900, thanks to the liberality of the ratepayers of the British concession, who consented that certain of their municipal properties should be mortgaged to guarantee the loan which otherwise could not have been raised.

Last year's events, still fresh to our memory, brought the destruction of nearly all the works, and the indemnity claimed therefor from the Chinese authorities amounts to 126,000 taels.

Immediately after the taking of the Tientsin native city, the British military authorities tried to secure communication by the river, and amongst others concluded an agreement with Mr. de Linde for several months by which, for payment of certain sums, he undertook to have done the most necessary work to maintain the depth of the water in the river and water communication.

As the règlements généraux d'administration de la cité chinoise de Tientsin established at the end of July through the unanimity of all the commanding officers of the contingents of the allied powers did not mention this matter, the council of the provisional government could not attend to it, especially on account of having its jurisdiction limited to the mud wall and want of funds.

It was only at the end of January of this year that his excellency, Field Marshal Count von Waldersee, forwarded to the council of the provisional government the new Règlements généraux du Gouvernement Provisoire du district de Tientsin, approved by all the commanders in chief of the contingents of the allied powers, by which the

jurisdiction of the council was extended up to the sea, beyond Taku, and containing the following paragraph:

"II. Dans l'étendue du district dont la jurisdiction lui est ainsi confiée, le conseil devra, au moyen de son organe propre d'administration assurer la sécurité de la ville de Tientsin, achever les travaux publics en cours et entreprendre ceux qui paraîtraient nécessaires, maintenir et améliorer les communications par les fleuves et canaux. * * *"

The translation of which is:

"II. Within the district so intrusted to it, the council must, with its own administration, establish the security of the Tientsin city, complete the public works begun and undertake those which may seem necessary, maintain and improve the communications by the rivers and canals. * * *"

The council, which always kept an eye on this question, ordered, in obedience to the new règlements généraux, Mr. de Linde, in charge of the public works department, to report on this subject, and called immediately for the 16th of February an unofficial meeting of all the parties (bodies, corporations, associations, and others) interested in the matter, so as to be able to discuss together the question and decide what should be done, as the said council desired particularly to give to the commercial community of Tientsin the benefit of the work which was to be done in any case to secure, from a military point of view, communication by water; the revenue having largely increased lately, the council had sufficient means to start the work at once, intending to get the balance from the indemnity to be paid by the Chinese authorities who, in accepting the collective note from the ministers in Pekin, have bound themselves to secure free communication between the capital and the sea.

It is to be regretted that the council having not clearly exposed the situation in the invitation to attend this meeting, some unfortunate misunderstanding, embittered by questions of precedency, arose and divided the council of the provisional government and the commissioner of customs on one side from the consular body, municipal councils, corporations, private companies, and the public in general on the other side.

Therefore the council elected three of its members, Major-General de Wogack, Lieutenant-Colonel Arlabosse, and Lieutenant-Colonel Bower, to constitute a commission to take the necessary steps and to supervise the work. Mr. Detring, commissioner of customs, the only one of those invited who attended the meeting of February 16, was requested to join the commission.

The revenue of the provisional government having exceeded the highest expectations, the council decided, especially on account of the urgency of having the work done before the rainy season, to put at the disposal of the commission the amount of 100,000 taels, so as to enable it to make a start at once.

At the meeting of the commission held on March 10–23, which Mr. Detring, commissioner of customs, attended on being invited to do so, it was decided, after having adopted some regulations, to begin at once the work of the first cutting (the nearest to Tientsin), at a cost of about 100,000 taels, so that it could be finished before the rainy season (middle June), and to request Mr. de Linde to report at once on the immediate removal of part of the Taku North Fort, near the mouth of the river, at present occupied by the Japanese, who already have consented thereto, this work being estimated at 11,000 taels in all. The question of the two other cuttings was also discussed in particular regarding the possibility of finishing them also before the rainy season.

On the 4th of March the council sent to his excellency, Field Marshal Count von Waldersee, in his quality of senior of the commanders in chief, from whom the council derives its powers, a long memorandum relating all that had happened.

This memorandum set forth that the cost of the whole work was estimated at 500,000 taels, of which 300,000 taels would accomplish in four months such work as would enable gunboats to ascend the river to the concessions; that the foreign banks at Tientsin were ready to advance the necessary loan at 7 per cent (instead of 6 per cent, as on the former loan); that the Chinese Imperial maritime customs could hand annually to the provisional government some 21,000 taels, levied on Chinese merchandise and paid formerly to the authorities of the city. This memorandum also stated that it would be just to free the municipality of the British concession from the guaranty given and include all the expenses of improving the navigability of the river in the indemnity due from the Chinese Government, which has guaranteed that free communication shall exist between Peking and the sea. It was further proposed that until this indemnity shall be paid, each of the powers having a representative on the council should advance the amount of 50,000 taels, making in all 300,000 taels, which would permit to start at once the most necessary work; that to avoid the contingency of the Chinese controlling, at any day, the works and their

maintenance, the consular body should naturally be designated to succeed in this matter the provisional government after its removal, and therefore it would be advisable for said body to be represented on the provisional government's commission, and that, if extra dues on merchandise were to continue to be collected, representatives of commerce, shipping, and foreign concessions ought also to join.

Meantime the General Chamber of Commerce of Tientsin has prepared a financial scheme and had forwarded it on March 2 to the consular body with a proposal for administration, as follows:

Members of the commission: The senior consul or nominee of the consular body; a member of the provisional government; the commissioner at Tientsin of the Chinese Imperial maritime customs; one representative of the shipping interests; a representative from each properly constituted foreign municipality.

Among others this commission will have to assume full control of the river works already created; accept all the obligations pertaining to the scheme of 1898 now in existence; assume complete financial control; appoint an expert consulting engineer.

Financial scheme: Out of the 150,000 taels, 6 per cent municipal loan of 1898, 130,000 taels are still outstanding.

As security for the payment of interest and amortization until August 1, 1910 (twelve years from August 1, 1898), 1 per cent is levied on duties paid to the Chinese Imperial maritime customs. (The customs tariff being generally based on a 5 per cent "ad valorem" duty, 1 per cent on duty is the same as ½ per mill "ad valorem" given above.) This has been going on regularly.

It is estimated that a further sum of 300,000 taels is needed for the new works and an interest of 7 per cent instead of 6 per cent must be provided for. As security for the payment of interest and amortization the existing river dues of 1 per cent ought to be doubled, making the levy 2 per cent on duties, and the period of collection ought to be extended until 1923, or twenty-five years from the original date. This would be sufficient to terminate the remaining 130,000 taels of the 8 per cent loan and the new 7 per cent loan of 300,000 taels in 1909 and 1919, respectively.

The amount collected was, after deducting the cost of collection, about 21,000 taels, fully sufficient to meet the financial requirements of the 1898 loan. In doubling the dues that will bring in 42,000 taels, which would be sufficient to meet the requirements of the two loans.

In addition to that the chamber of commerce proposed that—

All lighters coming to the bund and wharves or discharging in the Tientsin reach shall contribute 5 candareens per ton (dead weight) on the cargo brought up in their own bottoms; provided always that such charge shall not be made if the depth of water in any part of the river between Taku and Tientsin be less than 9 feet.

All steamers coming to the bund and wharves or discharging in the Tientsin reach shall likewise contribute 5 candareens per ton (dead weight) on cargo brought up in their own bottoms.

Seagoing junks and sailing vessels reaching Tientsin shall also pay a proportionate sum.

All revenue arising from any or all of the above sources to be applied as follows, after deducting cost of collection: Two-thirds to the immediate redemption of bonds, one-third to form a maintenance fund.

The chamber of commerce believes that the steamship companies will offer no opposition to the proposals on the understanding that the levying of dues (on duties and craft) will only remain in force so long as the financial obligations named above exist.

The General Chamber of Commerce of Tientsin, representing the commercial community of the place, forwarded on March 12 to the provisional government copy of its two letters dated February 13 and March 2, addressed to the consular body, acknowledging at the same time the keen interest taken by the said provisional government in the improvement of the navigability of the river.

According to this correspondence, the council of the provisional government wrote again to his excellency, Field Marshal Count von Waldersee, as senior commander in chief, showing that this financial scheme was very onerous and could only come in force after a certain time needed to have the sanction of the proper authorities to levy the dues mentioned (notwithstanding that the former dues could not be collected from subjects of certain powers), and therefore maintaining its former proposal to include the amount in the indemnity due by the Chinese Government and to receive from the powers represented in the council the sum of 300,000 taels, necessary to execute the works at once, as a loan to be redeemed on the payment of the indemnity by the Chinese Government. If for any reason whatever this amount should not be included in the indemnity, then the financial scheme of the chamber of commerce could be adopted, and out of the proceeds of the loan the 300,000 taels

could be refunded to the powers. There would be more time to thoroughly discuss and prepare this scheme; being not in a hurry and things having quieted down and a normal state of affairs having been resumed, there will be even chance to get money at 6 per cent, which will be an important economy. As regards the composition of the commission, it is absolutely necessary that the council of the provisional government keep supreme control as long as it is responsible to the commanders in chief. After that, the consular body, the only element of the commission able to stand against the Chinese authorities, should take its place. It is well understood that seats on the commission must be reserved for representatives of institutions, corporations, associations, companies, and others who would contribute to the works and their maintenance, as well as for the commissioner at Tientsin of the Chinese Imperial maritime customs.

On March 3–16 the consular body held a meeting to which were invited to attend: One member of the provisional government, representatives of the shipping companies, representatives of municipal councils or administration of foreign concessions, and Mr. de Linde.

According to a decision taken at a previous meeting, the commissioner at Tientsin of the Chinese Imperial maritime customs was not invited to attend.

The senior consul having in his letter of February 15 to the provisional government declared that the consular body could only accept suggestions from the provisional government, the council of this body did not find it necessary to be represented at the meeting.

At this meeting it was decided—

To establish a commission according to the proposal of the chamber of commerce, with the exception of the member of the provisional government and the commissioner of customs, and in place of the latter to ask, through the diplomatic body in Peking, the two Chinese plenipotentiaries negotiating actually with the foreign ministers to nominate a Chinese official of the rank of taotai at least.

To ask the diplomatic body to confirm the authorization to levy the dues of 1 per cent on customs duty and to raise it to 2 per cent.

To claim from the provisional government the implements having been used for the former works and which might be in its hands.

To lay a protest before the diplomatic body in Peking so as to stop the provisional government from doing anything that may interfere with the previous works.

The balance of the chamber of commerce's scheme was also approved, the commission nominated as above to frame such rules and regulations regarding the other points as it may find necessary.

Although everything was ready, the commission of the provisional government did not want to begin work before having received the approbation of the commanders in chief.

The result of all these schemes and correspondences was an understanding between the doyen of the diplomatic body at Peking, acting for that body, and his excellency, Field Marshal Count von Waldersee, as senior commander in chief, acting for the commanders in chief, by which the number of the members of the commission was reduced to three, viz: A member of the provisional government, a member of the consular body, the commissioner at Tientsin of the Chinese Imperial maritime customs, to whom were added, with consultative voice only, representatives of commerce, shipping, and foreign concessions.

This commission was to examine the question of improving the navigability of the Hai-Ho (Pei-Ho), technically and financially, and to take, in an independent way, such steps as would satisfy all parties interested in the matter.

Although this was agreed to at the end of March, it was only at the end of April that it was communicated at Tientsin to the senior consul by the doyen of the diplomatic body and to the council of the provisional government by his excellency, Field Marshal Count von Waldersee.

The consular body having seen in its meeting of April 17–30 that the composition of the commission was different from what it had proposed, and finding a certain ambiguity in the Peking wording in regard to the foreign concessions (one part of that body considering only as concessions those having a regular municipal council, namely, the British and French concessions and the German concession), has again referred the matter to the doyen of the diplomatic body, who has only now confirmed the decision agreed to with his excellency, Field Marshal Count von Waldersee.

Accordingly, the first meeting of the commission was held on May 9–22.

Major-General de Wogack, member of the council of the provisional government of the district of Tientsin; Mr. L. C. Hopkins, His Britannic Majesty's consul-general and senior consul; and Mr. Detring, commissioner of the Chinese Imperial maritime customs, being present and constituting the commission.

It was decided that the works should be divided into three sections:

(1) Maintenance of the river in its actual state, for which the provisional government offers a monthly subsidy of 5,000 taels, and even more if necessary; the actual monthly expenses on this head are between 2,000 taels and 3,000 taels, not counting the wages of the engineer and others, who, being in the service of the provisional government, have freely given their time, care, and labor to this work. As the commission for the improvement of the navigability of the Hai-Ho (Pei-Ho) is entirely independent of the provisional government, it must have its own staff entirely under its orders and quite distinct from the one belonging to the provisional government (according to the opinion expressed by the latter), and therefore the provisional government offers at first sight 2,000 taels, more than the running monthly expenses, so as to provide for the payment of a regularly specially appointed staff.

(2) Improvement of the navigablity of the river so as to allow gunboats and therefore steamers of a certain draft to come up the river to the foreign concessions. The total cost of these works is estimated at 500,000 taels, of which the provisional government undertakes to provide the half, viz, 250,000 taels; the provisional government is even ready to advance all the money needed, specially as in the beginning the expenses will be small, but will increase with the development of the works, with the understanding that it is to be repaid out of the funds raised by the commerce, shipping, and foreign concessions, all pecuniarily interested in the completion of the works. As the representatives of these interests have only consultative voices, the commission could choose among them a treasurer, and this would enable them to provide in an effective way that the funds are judiciously employed. It must not be overlooked that in the amount of indemnities claimed from China are some 126,000 taels for damage done to the works already executed for the improvement of the navigability of the river, although there seems to exist some lien on this item.

(3) Maintenance of the navigability of the river when all the works of improvement shall be completed. There is no urgency in this matter and it could be discussed later when the works are nearing completion. It is most certain that all the parties interested—commerce, shipping, and concessions—will not protest against slight dues which will guarantee them the free navigation of the river up to the concessions.

Therefore it was decided to call a meeting of all the members of the commission including those having a consultative voice, who are: The French consul, as president of the French municipal council; the chairman of the municipal council of the British and extra-British concessions; the consuls for Germany, Japan, Russia, Belgium, United States of America, as representatives of their respective concessions; the latter only if the project of the United States concession still holds good; the commanding officers at Tientsin of the Italian and Austro-Hungarian contingents, as representatives of the respective concessions occupied by them under orders from their respective legations; the chairman of the Tientsin general chamber of commerce, a representative of the shipping companies.

To this effect Mr. Ed. Cousins, of Messrs. Jardine, Matheson & Co., agents of the Indo-China Steam Navigation Company, the oldest shipping company trading at this port, has been requested to call a meeting of all the foreign shipping companies trading at this port and connecting Tientsin, Tongku, and Taku between them and with coast and foreign ports, to elect such a representative.

So as to avoid further misunderstanding and not to have to explain all the facts in full detail at the meeting, it has also been decided to draw up a memorandum as complete as possible, relating all that has happened. This memorandum to be sent to any member of the commission, including those with consultative voice, so that they may come to the meeting fully enlightened on the subject.

At a meeting called by Mr. Ed. Cousins, and held on May 11–23, the agents of the shipping companies elected as their representatives Mr. W. Fisher, of Messrs. Butterfield & Swire, agents of the China Navigation Company, Limited.

TIENTSIN, *June, 1901.*

Mr. Rockhill to Mr. Hay.

No. 131.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, July 9, 1901.

SIR: I have the honor to inclose herewith for your further information in connection with my No. 52, of March 29 last, regarding the proposed reform of the Chinese foreign office, copies of correspond-

ence exchanged between the foreign representatives and the Chinese plenipotentiaries on the subject, from which it will be seen that the matter has been satisfactorily settled.

It is expected that an Imperial edict, ordering the carrying out of the reforms suggested by the foreign representatives, will be shortly issued.

I am, etc., W. W. ROCKHILL.

[Inclosure 1 in No. 131.—Translation.]

Mr. de Cologan to the Chinese plenipotentiaries.

PEKING, *April 22, 1901.*

HIGHNESS AND EXCELLENCY: According to the terms of article 12 of the Joint Note, His Majesty the Emperor of China pledged himself "To reform the office of foreign affairs on the lines which the powers shall indicate." I have the honor to inform you by this dispatch of the conclusions reached on this subject by my colleagues.

Having established the fact that the Tsungli Yamen has in the forty years of its existence abundantly demonstrated its incapacity to discharge the duties devolving upon it, the representatives of the powers have thought it necessary to substitute for it for the good of China and the harmonious relations between the Empire and foreign Governments an organization analogous to those existing in other countries.

They have thought it essential to give to the future office of foreign affairs all the guarantees of competence, regularity, promptitude, and wise administration, lacking which the former one has demonstrated its incapacity, and without which the new one could not respond to its real purpose.

They have not had less in mind to place in the high position which belongs to it in the Empire the board whose mission it is to settle, in the name of the Emperor, questions which should occupy the first rank in the preoccupations of China.

The representatives of the powers think, in the first place, that the duties previously intrusted to the Tsungli Yamen were divided among a too large number of personages, and that it is necessary to substitute for the too divided and intangible responsibilities a more effective and more direct responsibility.

They are of opinion that the office of foreign affairs should have at its head a single minister, whose rank, influence, and power correspond with the exigencies of his situation. This minister shall have the title of "President of the Office of Foreign Affairs," should be a prince (Wang) or a duke (Kung), and should consequently belong to the Imperial family. He shall have two assistants, one of whom shall be chosen from among the members of the Grand Council (Chün-Chi Chü), and the other shall have at least the personal rank of president of one of the ministries or boards (Pu). These three shall have exclusive charge of the direct relations with the foreign diplomatic agents. They shall receive, each of them, a salary in conformity with the high functions with which they will be invested and in conformity with the usages obtaining in all civilized countries. They shall receive, either separately or the three together, the diplomatic agents who shall have to treat, in the name of their Governments, business with China. When the business shall be of a particularly important nature and the diplomatic agents shall express the wish, the president of the Bureau of foreign affairs shall assist personally, either alone or with his assistants, at the interviews asked for. For it is only on account of the probable multiplicity of his occupations and because his other obligations as member of the Imperial family may prevent him from devoting all his time to his ministry, that two collaborators are given him, but in reality it is he who has in the conduct of affairs the principal duty and responsibility. It is his name alone and his address which shall appear on the official correspondence of the diplomatic agents, and his two colleagues, who have rank and titles inferior to his, have particularly as their duty to treat current business, while having nevertheless quality to treat the others.

The name of Tsungli Yamen, which recalls unpleasant memories and which does not express sufficiently well the importance and the authority of the power on which devolve under the responsibility of the order of the Sovereign the highest functions in the state, is done away with. It shall be replaced in virtue of an Imperial decree by that of Wai-wu Pu, and in the order of official precedence the Wai-wu Pu shall pass before the six Boards of Tribunals.

It is desirable that the three members of the Wai-wu Pu shall have as extended

a knowledge as possible of international questions and of the methods in vogue of settling them in civilized countries. So as to have under this last point of view an additional guarantee, it will be necessary that, under the orders of the three members of the Wai-wu Pu, there shall be, with the title of chief of bureau, two officials capable by their experience and their personal competency to place the administration to which they are associated in more complete harmony than was the Tsungli Yamen with analogous organizations existing abroad. It would also be desirable that one of these two high functionaries should know an European language.

Such are the conditions laid down by the representatives of the powers for the reform of the Office of Foreign Affairs of the Empire, and I have the honor to request of your highness and your excellency to be pleased to solicit from His Majesty the Emperor of China the necessary measures to put the same into effect.

I avail myself, etc.,

B. J. DE COLOGAN.

[Inclosure 2 in No. 131.—Translation.]

Mr. de Cologan to the Chinese plenipotentiaries.

PEKING, *June 29, 1901.*

YOUR HIGHNESS AND YOUR EXCELLENCY: In a letter dated the 22d of April, which I had the honor to send you in the name of the foreign representatives, I informed you of the conditions laid down by them for the reform of the Office of Foreign Affairs of the Empire.

I beg that your highness and your excellency will inform me what action has been taken on this communication.

B. J. DE COLOGAN.

[Inclosure 3 in No. 131.—Translation.]

Chinese plenipotentiaries to Mr. de Cologan.

PEKING, *July 1, 1901.*

YOUR EXCELLENCY: On the 29th of June we had the honor to receive a communication from your excellency in which you stated that in a letter dated the 22d of April, which you sent in the name of the foreign representatives, you informed us of the conditions laid down by them for the reform of the Office of Foreign Affairs of the Empire, and you desire to know what action had been taken of this communication.

In reply, we beg to say that on receipt of the communication referred to we at once presented a special memorial to the throne on the subject, and a rescript was issued ordering the Governmental Administrative Board together with the Board of Civil Office to take the question into consideration and report.

Generally speaking, the recommendations of the foreign representatives will not be altered, but there are minute details to be decided, and when this is done we will at once communicate with your excellency upon the subject. In the meantime we send this reply for your excellency's information.

Mr. Rockhill to Mr. Hay.

No. 133.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, July 15, 1901.

SIR: For your information in connection with my No. 129, of the 3d instant, I have the honor to inclose herewith copy of the approved draft of the proclamation referred to therein as having been agreed upon to issue in the name of the powers, reciting the events which brought about the occupation by the foreign forces of the province and the conditions under which they now evacuate it.

This proclamation will shortly be published and posted throughout the province.

I am, etc., W. W. ROCKHILL.

[Inclosure to No. 133.]

Draft proclamation by the foreign Plenipotentiaries to be issued throughout Chihli.

In the spring and summer of last year north China was the scene of grave disorders, and crimes without precedent against the laws of humanity were committed by the Boxers and Imperial troops.

On June 11 the chancellor of the Japanese legation was barbarously murdered at the Yung-ting gate; on June 20 the envoy plenipotentiary of Germany was assassinated while going to the Tsungli Yamen to transact public business; and from that day to August 14 the legations of all the foreign powers at Peking were besieged and constantly attacked. At Tientsin the foreign concessions were bombarded for three weeks with heavy cannon, and repeatedly attacked by Imperial troops and hordes of Boxers. Both at Peking and Tientsin many foreigners were killed and wounded, and a great quantity of property owned by foreigners was wantonly destroyed. Elsewhere, and particularly in the province of Shensi, numbers of foreigners of different nations, chiefly missionaries, were atrociously murdered, and in several places foreign cemeteries were profaned and tombs destroyed.

The foreign governments, as soon as they received intelligence of these doings, sent armies over sea to quell the disorders, protect their nationals, and chastise the persons who were responsible. The Taku forts, Peking, Tientsin, and Paoting, and other places were taken by assault, and the Imperial troops and Boxers were everywhere overthrown in numerous battles and encounters, thousands of them being slain and the rest driven afar off, beyond the confines of Chihli. The princes and high officers of state guilty of participation in the crimes against foreigners have all been most severely punished, several having suffered the death penalty in accordance with the commands of His Imperial Majesty the Emperor of China. Provincial officials of all ranks have also been punished according to their offenses.

Heavy indemnities have been exacted by all the foreign States, and all civil and military examinations have been suspended for a period of five years in localities where foreigners were murdered or cruelly treated.

Condign punishment having thus been administered, and China, moreover, having expressed regrets and having promised the other reparations demanded by the foreign powers, friendly relations are now definitely restored, and the foreign troops of all nationalities will gradually return to their homes. Each power will retain a permanent guard to protect its legations, certain places between Peking and the sea will be occupied by foreign troops to preserve freedom of communication, and the Taku forts and all others which might impede this freedom of communication will be razed.

This proclamation is issued by the representatives of the foreign powers so that all may know the true facts connected with the coming and going of the allied forces.

It is also necessary that Chinese officials and people should take warning from the events stated and exercise extreme care to prevent any recurrence of disturbance or disorder.

Mr. Rockhill to Mr. Hay.

No. 135.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, July 18, 1901.

SIR: At the meeting of the diplomatic corps to-day the question of the indemnity was brought up. It had been put on the order of the day by me to ascertain whether some progress could not be made, and the deadlock brought about by the refusal of the British Government to accept the proposal made by Russia concerning the eventual raising of the tariff to 10 per cent broken. The Russian minister stated that it seemed to him highly desirable that the diplomatic corps should be informed whether the vote taken on the 11th of June on the subject, which, like all other votes, was taken subject to the approval of the various Governments, had been accepted or refused by them. A vote was taken, which resulted in all the representatives accepting the Russian proposal, the Belgian minister alone stating that his Government accepted the eventual increase of the tariff to 10 per cent,

but that it had not referred in its instructions to him as to the ultimate use of the additional revenue thus derived.

I stated, as instructed by you, that the United States had no opposition to make to the Russian proposal.

The British minister said that the modification introduced by him in the original proposal of the Russian Government, by which all Governments were to have the right to make such reservations as they thought proper before negotiations concerning the increase of the tariff should commence (see my No. 114, of June 11, 1901), and which he had at the time accepted, had not met with the approval of his Government. Great Britain, Sir Ernest Satow said, was more interested in trade in China than any other nation, and it could not accept more than the 5 per cent effective tariff, except in consideration for certain commercial advantages, especially the abolition of likin. This eventual increase should, in the opinion of the British Government, be more in the nature of a surtax, revocable in case the Chinese Government did not carry out the concessions which it would have to make to secure said increase, especially as regarded likin, but, being revocable, it could not possibly be used as additional guaranty as proposed by Russia.

The British Government thought the desire of Russia would be fully met if it was agreed that in case the revenues pledged for the payment of the interest on the new debt proved insufficient, the powers, at the proper time, should inquire what measures might be necessary to supply said deficit.

The Russian minister stated that his Government had no idea of blocking commerce, in the advancement of which it took the liveliest interest, when it asked, as an additional guaranty, for the eventual raising of the import duties beyond 5 per cent. The interests of commerce and a stable guaranty could both be insured. The credit of all the powers was not the same; some had to show to the bankers through whom they would eventually have to float China's bonds that their risks were even less than they might suppose. The additional guaranty which it was sought to obtain would not absorb all the revenue derived from the increased tariff, possibly only a very small proportion of it, especially as it was not sought to replace by it the revenue derived from the salt gabelle; the balance of the increased tariff could be used to secure desired commercial concessions. The necessity of the case would determine the amount to be applied to the payment of interest, and it was even possible that none of it might ever be so required, as he fully concurred with the British minister and his other colleagues in the belief that the Chinese would strenously endeavor to meet on time, and in full, all their financial obligations, as they had always done in the past.

The German minister thanked the Russian minister for the views he had expressed on commercial reforms. It was because he entertained similar ones that he had originally accepted the Russian proposal.

I stated that I had only accepted the Russian proposal on account of the amendment introduced in it by the British minister, by which all of our commercial rights were protected; that I could not have agreed to any proposal detrimental to American commercial interests, or lose any of the powerful leverage which a concession of an increase of the tariff on imports gave us with the Chinese Government.

After these various declarations on our part the subject was dropped, but it is my belief that the declared intention of the various powers

to abide by their former acceptance of the Russian proposal may be a formal indication to the British Government that some compromise on its part with Russia is imperatively demanded, and I trust the deadlock occasioned by this disagreement may soon be broken.

The British minister then proposed that a vote be taken as to whether all the powers were willing to fix finally the sum of 450,000,000 taels, which had until now been considered only as an approximate one, as the amount of the indemnity to be paid by China.

The Russian minister remarked that it was important to finally settle the exact amount of the private claims, and if the sum total fell short of 450,000,000, the balance should be given back to China. If the diplomatic corps was ready to accept unconditionally 450,000,000 taels, he was also.

The Japanese minister, who had formerly stated that his Government could not accept as a satisfactory settlement 4 per cent interest, declared that as the British minister's proposition was acceptable to all his colleagues, he, too, would accept it unconditionally, subject to the approval of his Government.

The Austrian and Belgian ministers accepted it on the same conditions as the Japanese. There can be no doubt that they will receive the approval of their respective Governments within a day or two.

A plan of amortization recently submitted to the diplomatic corps and considered by that body as better than those previously examined, was also accepted, and has been approved by the Chinese Government. * * *

It was furthermore decided that a final protocol embodying all the results of the past negotiations should be drawn up and signed by the foreign representatives and the Chinese plenipotentiaries. This can be done, it is believed, as soon as the Anglo-Russian difficulty no longer blocks the way.

An answer was agreed upon to be sent to the Chinese plenipotentiaries accepting the proposal made by them in a recent letter as to the place in the palace to which the foreign representatives should be carried in sedan chairs at Imperial audiences. This finally closes the question. I will transmit copies of the correspondence in a special dispatch.

The conference then took up the question of the draft convention and regulations prepared by a subcommittee, composed of the German, British, and French ministers, and myself, for the organization of a conservancy board for the Whangpu River. The draft was accepted, with some slight modifications, and will be transmitted to the various Governments for approval, on receipt of which it will be discussed with and I have no doubt accepted by the Chinese Government. Within a day or two I will send you copies of these documents with such explanations as they may require.

An answer to a recent Chinese note concerning the places in which examinations are to be suspended, and the question of the suspension of the metropolitan examinations, was then agreed upon. I will transmit copies of this correspondence in a separate dispatch.

As indicated to you in several of my previous dispatches, the Russian Government has shown much interest in the article of the Joint Note which provides for the maintenance of the prohibition of the importation of arms and ammunition into China. The Russian minister to-day brought up the subject again. He said his Government was much interested in it, and asked if the scheme submitted to the

conference had received the approval of the various Governments. It appears that none have accepted it.

The Japanese and British ministers and I have repeatedly stated that, as to the period during which we thought any prohibition should be enforced, our Governments were in favor of the shortest possible; and the Japanese minister having proposed two years, my British colleague and I have expressed the preference of our respective Governments for that term.

The Russian Government would like to see it, as I have previously informed you, enforced for a period of at least five years. Although I doubt the practicability of the scheme, some attention has to be paid to it in view of the insistence of the Russian Government.

* * * * * * *

I am, etc.,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 139.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, July 23, 1901.

SIR: In my dispatch No. 75, of April 24 last, I had the honor to transmit to you a copy of the letter of the dean of the diplomatic corps to the Chinese plenipotentiaries, dated April 18, asking for the creation of an international concession on the island of Ku-lang su, at Amoy.

I transmit to you herewith the further correspondence exchanged with the Chinese plenipotentiaries on this subject. From this it appears that the delay in drawing up the regulations for the government of the proposed concession is mainly attributable to most of the consuls at Amoy not having been instructed by their Governments to take up the question with the taotai of Amoy. The statement to this effect, made in the Chinese plenipotentiaries' note of July 13 (inclosure 3), is borne out by dispatches received at this legation from our consul at Amoy.

I am informed by my colleagues that they have, within the last fortnight, had instructions sent their respective consuls at Amoy to promptly take up the subject with the taotai. Our consul has had such instructions since the 21st of May last. I trust the matter may now be speedily settled. The regulations agreed upon between the taotai and the consular body will be submitted to the diplomatic corps for its approval.

I am, etc.,

W. W. ROCKHILL.

[Inclosure 1 in No. 139.—Translation.]

Mr. de Cologan to the Chinese plenipotentiaries.

PEKING, *June 29, 1901.*

YOUR HIGHNESS AND YOUR EXCELLENCY: In a letter dated the 18th of April, I called your attention in the name of my colleagues to the great interest attaching to the creation of an international concession on the island of Kulang su.

I have not yet received any reply to this communication.

The appearance of the plague at Amoy gives a specially urgent character to our request.

The foreign representatives direct me, therefore, to ask you to inform me without delay what action has been taken on the demand of the diplomatic corps in this matter.

B. J. DE COLOGAN.

[Inclosure 2 in No. 139.—Translation.]

Prince Ching and Li Hung-chang, plenipotentiaries, etc., to Mr. de Cologan.

PEKING, *July 1, 1901.*

YOUR EXCELLENCY: On the 30th of June we had the honor to receive a communication from your excellency in the matter of the creation of an international concession on the island of Kulangsu, Amoy.

Your excellency states that the appearance of the plague at Amoy gives a specially urgent character to your request, and the foreign representatives direct you, therefore, to ask to be informed without delay what action has been taken on the demand made in this matter.

In reply we beg to observe that we have repeatedly telegraphed the Viceroy of the Min-Che provinces, Hsu, to issue instructions to have this matter satisfactorily arranged. On the 16th of May we again telegraphed the viceroy urging action in the premises, and on the 27th idem we received a telegraphic reply to the effect that in the matter of the creation of an international concession on the island of Kulangsu, the United States consul, Mr. Johnson, came to Foochow and discussed the general plan or outline of the rules (to govern the concession), and the viceroy ordered Ing Nien to assume charge of the Amoy taotaiship so that he may properly discuss the various details. On an understanding having been reached and the agreement signed the same is to be transmitted to the viceroy.

On receiving the above telegram we at once telegraphed to Foochow urging that the matter be brought to a decision, and on receiving a telegraphic reply we will again communicate with your excellency asking you to bring the matter to the attention of the foreign representatives.

[Inclosure No. 3.—Translation.]

Prince Ching and Li Hung-chang, etc., to Mr. de Cologan, etc.

PEKING, *July 13, 1901.*

YOUR EXCELLENCY: Some time ago we had the honor to receive your excellency's communication in which you stated that the appearance of the plague at Amoy (gives a specially urgent character to your request) in the matter of the international settlement on the island of Kulangsu, and we were urged to telegraph the proper authorities pressing for a speedy arrangement of it.

At the time we telegraphed Viceroy Hsu, of the Min-Che provinces, urging action in the premises. We have now received a wire in reply, acknowledging receipt of our telegram and informing us that he in turn wired Yen taotai, who reported that he had repeatedly urged the consular body to take up the matter of the concession and discuss it with him, but they informed him that they must wait until they hear from their ministers, hence the delay resulting in nothing having been accomplished. The viceroy begs us to communicate with the foreign representatives, asking them to telegraph their respective consuls at Amoy urging them to lose no time in taking up this matter.

In regard to the question of an international settlement on the island of Kulangsu the foreign representatives, in urging that telegraphic instructions be sent to Amoy to speedily arrange the matter, no doubt did it at the request of the foreign consuls. How is it, then, that the taotai, on approaching the consuls with a view to arranging the matter, is told that they must await instructions from their ministers? There must be a reason for this.

We have the honor, therefore, to address your excellency, and will thank you to lay this matter before your colleagues, asking them to telegraph their consuls at Amoy to take it up as soon as possible, in a friendly way, and arrange a satisfactory settlement which may prove beneficial to both countries.

Mr. Rockhill to Mr. Hay.

No. 140.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, July 25, 1901.

SIR: I have the honor to transmit herewith for your information further correspondence between the dean of the diplomatic corps and the Chinese plenipotentiaries concerning the ceremonial to be followed at audiences with His Majesty the Emperor.

In my dispatch No. 106, of June 4, I expressed the opinion that the question would not be completely settled until after the Emperor's return to Peking. The demand which the Chinese plenipotentiaries seemed quite unable to grant was that the representatives of the powers should be carried in sedan chairs to the hall in which the audiences were to be given them. On the 10th instant, however, the Chinese plenipotentiaries offered to compromise by granting the foreign representatives the right to be borne to the foot of the steps of the outer entrance of the audience hall in small palace sedan chairs, a right enjoyed by no subject of the Emperor—not even by his father. This has been accepted by the ministers (inclosure 3) and the question is consequently closed.

The points conceded to the powers in the negotiations are embodied in the memorandum which I inclose herewith.

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I am, etc., W. W. ROCKHILL.

[Inclosure 1 in No. 140.—Translation.]

Prince Ching and Li Hung-chang, etc., to Mr. de Cologan.

PEKING, *July 10, 1901.*

YOUR EXCELLENCY: On the 2d of July we had the honor to receive a communication (from the doyen) concerning the ceremonial at audiences, in which it is stated that the foreign representatives accept our proposal concerning the use of green chairs with yellow trimmings. But as to the question of the foreign representatives getting out of their sedan chairs at the Chien-ching gate, it would seem that in this case there would not be sufficient distinction made to the ceremonial in the case of visits of an heir to the throne or a prince of the royal blood to Peking. Besides, the Chien Ching gate is not far distant from the Chien-ching Kung, hence we still find it inconvenient to memorialize the Throne in the matter.

If the foreign representatives can see their way to accept our former proposal to leave their chairs outside of the Chien-ching gate, then this will fully show that they are willing to make especial allowances in the case, and not cause us to be placed in a difficult position; for such a manifestation of kindness we would very gratefully remember. In the event, however, of their not agreeing to this proposal we have to say that, as an additional compromise, we propose that the foreign representatives change chairs outside the Ching-yun gate, and proceed in small chairs (i chiao) to the steps of the Chien-ching gate and there alight. We may state that princes, dukes, or high ministers of state have hitherto never been accorded this privilege. This will be treating the foreign representatives with great courtesy.

As in duty bound, we address this communication to your excellency, and will trouble you to again lay the matter before your colleagues for their consideration and favor us with an early reply, so that it may be shortly decided on.

[Inclosure 2 in No. 140.—Translation.]

Mr. de Cologan to the Chinese plenipotentiaries.

PEKING, *July 19, 1901.*

HIGHNESS AND EXCELLENCY: In reply to your letter of the 10th of this month of July, in which you propose that the foreign ministers going to audiences with His Majesty the Emperor of China should change their sedan chairs before going through the Ching-yun gate and, leaving there those in which they had reached that point, get into little sedan chairs borne by two bearers, who would carry them to the foot of the steps of the Chien-ching gate, I have the honor to inform you that the foreign representatives have declared themselves satisfied with the proposal.

I avail, etc.,

B. J. DE COLOGAN.

[Inclosure 3 in No. 140.—Translation.]

Memorandum on the ceremonies to be observed in solemn audiences.

1. Solemn audiences given by His Majesty the Emperor of China to the diplomatic corps or to separate representatives of the powers shall take place in the hall of the palace called "Chien-ching Kung."

2. In going to and returning from solemn audiences the representatives of the powers shall be borne in their chairs to the outside of the Ching-yun gate. At the Ching-yun gate they shall alight from the chairs in which they have come and will be borne in small chairs (i chiao) to the foot of the steps of the Chien-ching gate.

Arriving at the Chien-ching gate, the representatives of the powers shall alight from their chairs and proceed on foot into the presence of His Majesty in the Chien-ching Kung hall.

On leaving, the ministers shall return to their residences in the same manner in which they came.

3. When a representative of a power shall have to present to His Majesty the Emperor his letters of credence or a communication from the chief of the state by whom he is accredited, the Emperor shall cause to be sent to the residence of the representative a sedan chair with the yellow trimmings and tassels, such as are used by princes of the Imperial family, to convey him to the palace. He shall be reconducted in the same manner.

An escort of troops will also be sent to the residence of the representative to accompany him to and from the palace.

4. When presenting his letters of credence, or communications from the Head of the State by whom he is accredited, the diplomatic representative, while bearing said letters or communications, shall pass through the central openings in the doors or gates in the palace until he has reached the presence of His Majesty. On returning from such audiences he shall comply, as regards the doors and gates through which he may have to pass, to the usage already established at the court of Peking for audiences given to foreign representatives.

5. The Emperor shall receive directly into his hands the above-mentioned letters or communications which the diplomatic representatives may have to give to him.

6. Should His Majesty the Emperor, at any time, see fit to invite the representatives of the powers to a banquet, it is understood that such banquet shall take place in one of the halls of the imperial palace, and that His Majesty shall be present in person.

7. In a word, the ceremonial adopted by China toward foreign representatives shall not, under any circumstances, be different from that which results from perfect equality between the countries concerned and China, without any loss of prestige on either side.

Mr. Rockhill to Mr. Hay.

No. 141.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, July 25, 1901.

SIR: In further reference to the question of the suspension of examinations and as supplementing my dispatch No. 119, of June 18, I have the honor to transmit copies of correspondence recently exchanged between the diplomatic corps and the Chinese plenipotentiaries.

In my dispatch No. 109 I expressed the hope that the British minister would not insist on the total suspension of the metropolitan examinations, which are held in Peking. The reference to the subject of these examinations in the note of the 19th instant of the dean of the diplomatic corps to the Chinese plenipotentiaries is as vague as the terms of the Imperial edict of June 11 on the subject, which we had accepted as satisfactorily disposing of the matter. The British minister takes it that by the terms of this edict the metropolitan examinations are absolutely prohibited; the other members of the conference

are not willing to press the subject, and prefer not to force an interpretation of the edict, especially as the majority is satisfied that these examinations should only be closed to candidates from provinces in which foreigners were killed or maltreated during last year's troubles.

I am, etc.,

W. W. ROCKHILL.

[Inclosure 1 in No. 141.—Translation.]

Mr. de Cologan to the Chinese plenipotentiaries.

PEKING, *June 29, 1901.*

YOUR HIGHNESS AND YOUR EXCELLENCY: I have the honor to acknowledge receipt of your letter dated the 13th of June, in which you inform us of the terms of an imperial decree suspending examinations in a certain number of localities.

This decree is quite in conformity with the request which the representatives of the powers had instructed me to place before you.

Article X of the collective note states that the decree suspending the examinations shall be posted throughout the whole Empire. I request your highness and your excellency, in the name of the representatives of the powers, to take the necessary measures so that that formality may be complied with without delay.

I avail, etc.,

B. J. DE COLOGAN.

[Inclosure 2 in No. 141.—Translation.]

Prince Ching and Li Hung-chang, etc., to Mr. de Cologan.

PEKING, *July 10, 1901.*

YOUR EXCELLENCY: On the 2d of July we had the honor to receive a communication from your excellency in which you say that as regards the suspension of all examinations where trouble occurred, Article X of the Joint Note states that a decree suspending the examinations shall be posted through the whole Empire. Your excellency requests us, in the name of the representatives of the powers, to take the necessary measures so that that formality may be complied with without delay.

In reply, we would beg to observe that in the matter of the suspensions of examinations, there are still three points that remain unsettled:

1. The metropolitan examinations at Peking. We asked that these should be exempt from the prohibition, but on the 30th of June we received your excellency's communication in reply, in which you stated that it was necessary to take this matter into careful consideration. At the present moment we are not aware whether the matter has been clearly investigated or not.

2. Ho-chien Fu in Chihli. It appears that no foreigners were massacred or cruelly treated there, and the prohibition should not include this place. In the communication of the 30th of June your excellency also stated that this matter must await an investigation by the foreign representatives, when your excellency would address us on the subject. No reply, however, has been received.

3. On the 2d of July we addressed your excellency a communication stating that the governor of Honan had telegraphed us to the effect that at the following places (five) in Honan, namely, Nan-yang Fu, Kuang-chou Fu, Chen-chou Fu, Cheng Chou, and Ho-nei, no foreigners were massacred or subjected to cruel treatment, and the examinations there should not be suspended. To this communication we have also not been favored with a reply.

We have the honor, therefore, to request your excellency to bring the above questions to the notice of the foreign representatives so that they may speedily consider them and an early reply be sent us, to the end that we may again memorialize the Throne, asking the issuance of a decree to be posted throughout the Empire in accordance with the terms of the Joint Note.

[Inclosure 3 in No. 141.—Translation.]

Mr. De Cologan to the Chinese plenipotentiaries.

PEKING, *July 19, 1901.*

HIGHNESS, EXCELLENCY: I have the honor to acknowledge the receipt of the note which you sent me under date of the 10th of July, and in which you tell me that there still remains, as regards the suspension of examinations, three points to be settled, to wit:

1. The metropolitan examinations at Pekin;
2. Examinations at Ho-chien Fu, in which place you assure me that no foreigner was killed or maltreated, and
3. Examinations in the five localities in the province of Honan, to wit: Nan-yang Fu, Kuang Chou, Chen-chou Fu, Cheng Chou, and Ho-nei.

In reply I have the honor to observe that Ho-chien Fu was not mentioned in the Imperial decree of the 11th of June, which you transmitted to me in your letter of the 13th of June, and which the representatives of the powers accepted in a letter of the 1st of July.

As a consequence, the foreign representatives have no objections to the examinations in this city being held as in the past.

As to the five localities in Honan, in which, according to the governor of that province, no foreigner was massacred or maltreated, the foreign representatives, considering that it results from precise information which they have received that foreigners were cruelly treated at Nan-yang Fu and Kuang Chou, insist on the suspension of examinations in these two localities, whereas for the three others (Chen-chou Fu, Cheng Chou, and Ho-nei Hsien) they agree, in a spirit of conciliation, that examinations shall not be suspended.

As regards the metropolitan examinations, the foreign representatives direct me to inform you that they must refer to the terms of the Imperial decree of the 11th of June, which they have recognized as satisfactory by the letter of their dean of the 1st of July.

I avail myself, etc., B. J. DE COLOGAN.

Mr. Rockhill to Mr. Hay.

No. 142.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, July 26, 1901.

SIR: At a meeting of the diplomatic corps held to-day, the divergence of views between the British and Russian ministers over the reserve guaranty, which has delayed for so many weeks the settlement of the question of indemnity, was brought to a satisfactory conclusion.

The Russian minister made the following declaration:

The Russian Government is ready not to insist on the necessity of considering at the present moment the eventual raising of maritime import dues above 5 per cent as a reserve guaranty on the condition that, should the revenues assigned to the service of the bonds prove insufficient, the powers will proceed jointly and at once to study and to determine the measures necessary for making up the deficit.

The possibility of extending this study to the question to the increase of import dues should not be excluded, and, while not insisting at present on the reserve guaranty which it had proposed (the Russian Government) does not thereby express its acceptance of the declaration made by his excellency the British minister, which specified that an increase of import dues above 5 per cent should be entirely used for the reforms indicated by Sir Ernest Satow.

The British minister replied as follows:

I am ready to accept, in the name of my Government, the condition annexed to the declaration just made by his excellency the minister of Russia—that his Government does not insist at the present moment on the eventual raising of the import duties beyond 5 per cent as a reserve guaranty. I do this the more readily since it agrees with the proposal which I submitted to my colleagues in our last meeting.

As to the declaration which his excellency the Russian minister has just added, I

am obliged to say that I consider it as a declaration coming only from the Government which makes it, and that I am not authorized to change anything in what I have already said concerning the reserve guaranty.

Mr. de Giers, the Russian minister, remarked on this that his declaration could apply not only to his Government, but to those others which might hold the same views.

The ministers of Japan, Belgium, and Austria having declared that their Governments agreed to the indemnity of 450,000,000 Haikwan taels, with rate of interest at 4 per cent, a note was ordered to be prepared, to be sent to the Chinese plenipotentiaries, embodying these conclusions. The conference furthermore agreed that, as the indemnity and interest were payable in gold, the 450,000,000 Haikwan taels should be converted into gold at the rate of exchange of April 1, 1901. The United States Treasury rate on that date was 1 Haikwan tael = $0.742 United States gold.

The question of the final protocol, in which the results of the negotiations are to be embodied, and in which are also to be incorporated all the details concerning the mode of payment of the indemnity and probably the arrangement for the creation of the Whangpu conservancy board and the regulations governing it, was also considered, and a committee directed to draft it.

The maintenance of the prohibition of the importation of arms was then taken up.

The British minister said that his Government thought the scheme suggested by the diplomatic corps difficult to carry out, and that furthermore it was contingent on legislation by the various powers, and that the Chinese Government could prohibit all importation of such articles and the maritime customs could be entrusted with the enforcement.

The Japanese minister shared these views, and added that his Government was of opinion that permission should be granted China to import the arms and ammunition necessary to the interior policing of the country.

The Austrian and Italian ministers were also in favor of a term of two years.

I stated to my colleagues the views contained in your telegram of the 29th instant. I greatly doubt whether any arrangement can be reached by the powers on this question beyond asking China to enforce the prohibition against herself—not a very satisfactory solution.

The Russian minister thought there were grave inconveniences to intrusting the prohibition of the importation of arms and ammunition to China itself, and that the measures suggested in the scheme submitted to the diplomatic corps were not too rigorous. * * *

I have the honor, etc.,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 143] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, July 27, 1901.

SIR: For your further information in connection with that portion of my No. 69, of April 16 last, relating to a conference of the commanders of the various military contingents as to the measures necessary to be taken to carry out Articles VIII and IX of the Joint Note,

I have the honor to inclose herewith a translation of the minutes of a second conference held at Tientsin July 16, under the presidency of General Voyron, commanding the French expeditionary forces and senior general.

The questions discussed by the conference were: (1) The jurisdiction of the military posts to be established along the railway line—Peking-Shanhaikwan—and the general command of the foreign expeditionary forces; (2) the destruction of fortifications which might impede free communication between Peking and the sea; (3) the entry of Chinese regulars into Peking, and (4) the date of the evacuation of Peking.

I also inclose copy of the reply of the diplomatic corps to the senior general, giving its views on the opinions expressed by the various generals in the conference of the 16th instant.

A communication, embodying the decision reached, will be addressed to the Chinese plenipotentiaries by the dean of the diplomatic corps.

I am, sir, etc.,

W. W. ROCKHILL.

[Inclosure No. 1 in No. 143—Translation.]

Minutes of a conference of the commanders in chief of the allied forces, held at Tientsin the 16th of July, under the presidency of Division General Voyron.

OBJECT OF THE MEETING.

The conference of the commanders in chief, held on the 16th of April, under the presidency of his excellency, Field Marshal Count von Waldersee, has considered the consequences of Articles VIII and IX of the terms of peace, and had, in particular, enumerated the fortifications to be demolished and the garrisons to be left in Pechili by the different contingents. There remained to settle the measures for carrying these into effect and to fix more precisely certain details.

Division General Voyron, commander in chief of the French expeditionary force, and senior of the commanders in chief, had consequently called the meeting. All were present at the meeting, which began at 10 a. m., with the exception of Major Robertson, of the United States Army. Brigade General Sucillon, chief of the staff of the French expeditionary force, acted as secretary.

A letter of Major Robertson, dated the 14th of July, was read. In it he stated that the United States not having at present any military interest in the subjects under discussion, consequently he would not be present at the conference.

Division General Voyron briefly outlined the plan for the evacuation of Pechili by the expeditionary forces. It is to compose two periods:

First. Departure of the bulk of the troops and establishment along the lines of communication between Peking and the sea, in summer or in winter, of the garrisons necessary to insure security; maintenance at Tientsin of a supplementary contingent of 4,000 men until China has proved her determination to preserve order.

The ministers accredited to the Chinese Government had already taken the opinion of the troops of their respective nationalities on the question under discussion; the commanders very nearly agree on the way of settling them, and there are only divergencies of view, on questions of detail, which it will be very easy to harmonize.

1. The first question submitted to discussion was that of the jurisdiction of posts established on the railroad Peking-Shanhaikwan.

After having stated to the members of the conference the views which each one of them had communicated to the diplomatic corps, General Voyron remarked that the duty of the allied contingents was defined by the very fact of their maintenance of the province of Chili, to insure security of communications between Peking and the sea. The localities assigned to each nation had been settled upon. There was no discussion about the policing of the railway stations being reserved to the British troops; the allied troops will have to look after the security of the line halfway to the next station.

For the protection of the flanks of the line, it was indispensable that an understanding should exist between the contingents, and that each post should inform its neighbors of any event, and, if it should be indispensable, should give aid and assistance to its neighbors.

In case of a movement appearing serious, the commanders in chief present at Tientsin would have to meet to take a joint decision.

Concerning the direction there are two systems: (1) The designation of a general commander in chief with authority ad hoc over all contingents; (2) the collective commanders in chief who would decide jointly.

Lieutenant-General de Lessel and General Gaselee were of opinion that there should be no commander in chief, and furthermore the settlement of this question depended exclusively on the diplomatic corps. The other commanders in chief accepted these views.

Until this point shall have been settled the committee of the commanders in chief shall decide, when necessary, on the measures to be taken and the operations to be carried out. It will meet upon the call of its president whenever he shall deem it necessary or on the request of one of its members, who shall state the reasons for his asking. The call shall be made in the form used in the meeting of this day.

As to the jurisdiction of the commanders of posts, General Voyron stated that it only concerned crimes or misdemeanors committed by Chinese against the railway, the telegraphic communications, or on the persons and goods of soldiers of the allied troops. It belonged to the contingents to determine themselves their judicial action for the repression of these crimes or misdemeanors by applying their respective military laws. It is well understood that the repressive action of the contingents, being only of a purely military object, shall not be exercised against Chinese injuring other Chinese; these are exclusively under native jurisdiction.

Lieutenant-General de Lessel proposed that jurisdiction shall be exercised over a strip of 2 miles to the right and to the left of the railroad and under the conditions indicated above. Colonel Garioni observed that if evil doers should be discovered and pursued, the troops can not be stopped by the existence of this limit. It was agreed that offenders could be pursued wherever it might be necessary.

Colonel Garioni asked what would be the relation of military posts to the regular Chinese troops in the neighborhood. It was agreed that if they had occasion to undertake any policing operations they should ask for permission to cross (the railroad zone).

General Voyron remarked that the question of jurisdiction offered a peculiarity at Tientsin in view of the existence of the council of the provisional government of the Chinese City, which was nothing more than emanation of the commanding officers of the allied forces. This body had made notable progress, and it would seem desirable that all the contingents should let it continue its functions for some time to come. The general opinion was that it was advisable to retain it to the second period of the occupation; that is to say, until the total of the garrisons should reach only 6,000 men. When that time came, the council of commanders in chief could come to a decision as to doing away with it.

Lieutenant-General de Lessel thought that even after the suppression of the council of the provisional government, when the troops of each nationality would be exclusively within their respective concessions, it would be necessary to exercise some control over the Chinese authorities to safeguard the interests at Tientsin of the important body of troops. The conference was of this opinion. The method of carrying it out will be examined at the proper time.

Second. The second question concerned the destruction of Chinese fortifications which might prevent free communication between Peking and the sea. A list of these was drawn up on the 6th of April.

Colonel Garioni, while accepting in principle the destruction of the forts at Taku and Shanhaikwan, thought it might be advisable to preserve these forts as a naval base and that it would be preferable to leave to the council of admirals the care of fixing the time when they should be destroyed.

Lieutenant-General de Lessel thought, on the contrary, that these works, like the others, should be destroyed as soon as possible. General Voyron, General Gaselee, Major-General Yamane, and Colonel Glinsky were of the same opinion.

The proposition of Colonel Garioni not having been accepted by the majority of the council, the commander of the Italian troops proposed that the destruction of these works should take place as late as possible—i. e., at the time when the allied forces shall evacuate Pechili. This motion was also not accepted.

As to the ways and means of carrying out the work, General Voyron proposed that the destruction of the works should take place at the expense of the Chinese Government, who would supply and pay the laborers necessary. This proposal was accepted.

General Voyron proposed furthermore that the council of the provisional government of the Chinese City should be intrusted with the direction and execution of all the work on its territory. This proposal was also adopted.

Lieutenant-General Gaselee proposed that the supervision of all these works should

be given to a commission of technical officers of various nationalities so as to guard against accidents which might occur during the work.

Lieutenant-General de Lessel objected that there was no grounds for this apprehension as regards the work to be done by the provincial government, which had a competent staff, and that the intervention of a technical commission in these works would only be a source of difficulty.

It was agreed that the duties of the technical commission should only extend to the works to be done outside of the area of the provisional board. Each of the commanders of the allied forces shall designate an officer to serve on it and shall communicate his name to General Voyron.

General Gaselee remarked that some of the works to be destroyed, such as the Chinese camps, had no military value; they consisted of cantonments surrounded by an ordinary wall. They might be preserved. This view was accepted.

Major-General Yamane asked that when a work was destroyed an officer of the nationality occupying it should be designated to come to an understanding with the council of the provisional government and the technical commission of the location and arrangement of the barracks and buildings to be preserved.

It was furthermore agreed that the destruction of the forts was to be confined to the parapets, embankments, platforms, and, in general, to those portions which had an offensive or defensive character, but not to the buildings, barracks, etc., which might be useful to the allied contingents.

General Voyron put before the council the question of handing over to the British military authorities Fort No. 1 at Shanhaikwan, otherwise called the International Fort. As long as this work, the only one which has a sea front, was armed, there could be no question of leaving it to a single power; but when the parapet shall have been demolished and when it shall be no longer armed General Voyron had, personally, no objection to this fort being assigned to the British troops solely.

Colonel Glinsky was of the same opinion, subject to the same reservation.

General Gaselee stated that it was well understood that Fort No. 3 should be razed, and that only the barracks and storehouses should be preserved.

Fort No. 1 being reserved to the British troops, it was agreed, on the request of General Yamane, that the Japanese troops alone should occupy Fort No. 4.

Third. The third question discussed concerned the permission to be given the Chinese regulars to enter Peking.

General Voyron stated that until recently, under an understanding between him and General de Lassel, regulars had not been authorized to cross to the left bank of the Ta-Tsin-Ho. During the last few days, at the request of the diplomatic corps, their presence had been tolerated to a distance of 20 li of Peking. The diplomatic corps is of opinion that at the present time they might enter the capital.

General Voyron thought that the regulars might be authorized to enter Peking on condition that the commanders of the allied forces shall be previously made aware of their numbers; of the names of the chiefs commanding them; of the quarters where they are to be camped, and of their distribution in these quarters. Lieutenant-General de Lessel was of the opinion that with the guarantees asked for by General-Voyron, authorization might be granted.

Lieutenant-General Gaselee was of opinion that the regulars should not be allowed to come. General Garioni was of the same opinion.

General Voyron observed that when the allied troops shall have evacuated Peking, the regulars will immediately enter it; that the Chinese will not fail to say that their presence has put to flight the European troops. If on the contrary, during a certain period, the allied forces remained in Peking jointly with the Chinese troops, the people would see that the former evacuate the capital of their own free will and at their convenience.

These views are unanimously accepted, and it is decided that, until new orders, 3,000 regulars may be authorized to enter Peking.

Fourth. The fourth question was that of the evacuation of Peking.

Major-General Yamane asked that a day be fixed for that purpose. He proposed as the date the 14th of August, the anniversary of the taking of the capital by the allied forces.

Lieutenant-General Gaselee proposed the 15th of August, which was agreed to. It was agreed that each contingent shall leave the capital, leaving only behind the troops necessary for guards at the legations, according to the requirements of its particular plan of evacuation which depends on the arrival of its transports, etc.

General Voyron said that the French troops would be able to leave about the 10th of August. Lieutenant-General Gaselee stated that the British troops would leave about the 18th of August.

No objections were raised.

The meeting closed at 11.45.

[Inclosure No. 2 in No. 143.—Translation.]

Mr. de Cologan to General Voyron.

PEKING, *July 26, 1901.*

GENERAL: The minister of France has communicated to the representatives of the powers the minutes of the conference of the commanders in chief of the allied forces, held at Tientsin, the 16th of July, under your presidency.

I am directed to inform you, as president of said conference, of the views of the representatives of the powers on the different questions on which the commanders in chief of the allied forces have expressed their opinion.

As to the first question, that of the jurisdiction of the posts along the railroad line—Peking-Shanhaikwan—the representatives of the powers find no objection to the solution adopted by the conference of the commanders in chief, and mentioned in the minutes under No. 1.

The representatives of the powers admit, furthermore, the observations contained in the letter addressed to you, under date of the 19th of July, by General von Lessel, on the protection of railway stations.

As regards the question of pursuing malefactors detected in the act of an attempt against the railroad or the telegraph line, or against the persons or goods of soldiers of the allied forces, the representatives of the powers hold the same opinion as Colonel Garioni, but wish that, with the exception of the case of flagrante delicto, the search, pursuit, and arrest for the purpose of handing over the guilty to the military authorities, shall be performed, when outside of the limit of 2 miles, by the Chinese authorities.

As to the question of the maintenance and the eventual suppression of the provisional government of Tientsin, the foreign representatives have expressed the opinion that this question having been submitted to their respective governments, it is proper that it should be reserved.

An agreement having been reached by the commanders in chief of the allied forces on the conditions under which should take place the destruction of the Chinese forts which can prevent free communication between Peking and the sea, a list of which was drawn up in the meeting of the 6th of April, the foreign representatives give their assent to the conclusions reached by the conference and have directed me to notify the Chinese Government of the duties devolving upon it in the premises.

As regards the entry of Chinese regulars into Peking, the foreign representatives propose to examine this question conjointly with their military authorities and the Chinese plenipotentiaries.

As to the date of the evacuation of Peking, the foreign representatives accept the proposals made to them by the commanders in chief of the allied forces.

Please accept, general, the assurances of my highest consideration.

B. J. DE COLOGAN.

[Inclosure No. 3 in No. 143.—Translation.]

General von Lessel to General Voyron.

TIENTSIN, *July 19, 1901.*

GENERAL: I have the honor to acknowledge the receipt of your letter of the 17th instant, No. 1182, in which you are so kind as to transmit to me the minutes of the conference of the 16th instant.

I have only to make the two following observations:

1. On page 2 it is said "there is no discussion on the fact of the policing of the railway stations being reserved to the British troops," etc.

While admitting that the policing of the stations should be performed by those who have the working of the line, it seems to me useful to establish the fact that the responsibility devolving on the various commanders of posts for the security of the line extends also to the security of the stations themselves, and that, consequently, these commanders, without interfering in the police business proper, should be independent as regards the measures they may take to guarantee the security of the stations and buildings pertaining thereto against attacks from whomever it may be.

2. On page 7 it is stated: "General Gaselee stated that it was well understood that Fort No. 3 should be razed," etc.

It would seem that an error has occurred here; instead of Fort No. 3 it should be Fort No. 1.

The rest of the minutes are, in my opinion, correct and complete.

Please accept, General, etc.,

VON LESSEL,
Lieutenant-General.

Mr. Rockhill to Mr. Hay.

No. 144.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, July 27, 1901.

SIR: In further reference to my dispatch No. 142 of yesterday's date, in which I stated that a note had been ordered drafted by the diplomatic corps to be sent to the Chinese plenipotentiaries accepting the indemnity, I have to transmit to you herewith a translation of the French text of the note as finally agreed upon in a meeting held by the diplomatic corps to-day.

The provision in the note by which the Chinese Government is granted three years to pay off the first half-yearly amount of interest due on the indemnity was inserted at the request of Sir Robert Hart.

The representatives of the powers discussed also the question of the date on which the new tariff should go into effect. All were in favor of its being applied immediately after the signing of the final protocol, excepting only goods in transit to China, with the exception of the Japanese minister and myself. We thought that two or three months' notice should be given.

* * * * * * *

I have the honor, etc.,

W. W. ROCKHILL.

[Inclosure 1.—Translation.]

Mr. de Cologan to the Chinese plenipotentiaries.

PEKING, *July 27, 1901.*

HIGHNESS, EXCELLENCY: You were pleased to inform me in your letter of the month of May that an Imperial edict had approved of the sum of 450,000,000 haikwan taels, with interest at 4 per cent, to be paid to the powers, and had ordered you to take the necessary steps to carry out the Imperial decision.

The representatives of the powers, to whom I hastened to communicate your letter, direct me to inform you that they take note of this decision, and that the sum of 450,000,000 haikwan taels, payable in gold at the rate of exchange of April 1, 1901, with interest at 4 per cent, represents the final total of the indemnities asked by the powers.

They have directed me, furthermore, to transmit to you a scheme of amortization, which exactly complies with the wishes of your highness and your excellency as to the paying off of the capital and interest.

The service of amortization, properly so called, will commence, as is shown in the annexed table, on the 1st of January, 1902, and will extend over the period comprised between the years 1902 and 1940, inclusive.

China will consequently only have to pay on the 1st of January, 1902, interests on the sum of 450,000,000 haikwan taels for the period of six months extending from the 1st of July, 1901, to the 1st of January, 1902. Nevertheless, so as to give to China facilities for paying off these arrears the powers are willing that the amount should be divided over a period of three years, from 1902 to 1905, on condition that compound interest shall be allowed them.

Finally, the representatives of the powers have also requested me to inform you of the revenues which they have decided to assign as guaranties of the bonds:

1. The balance of the maritime customs augmented by the receipts accruing from the raising to 5 per cent effective of the present tariff on importations by sea, inclusive of the articles which until now have entered free of duty, but with certain exceptions, which will be indicated later.

2. The revenues of the native customs, administered by the Imperial maritime customs.

3. The net revenue of the (salt tax) gabelle, with the exception of the fraction previously assigned to other foreign loans.

The raising of the present tariff on importations to 5 per cent effective is consented to on the following conditions:

(*a*) Conversion of all dues on imports at present collected ad valorem into specific dues. An international commission shall be appointed for that purpose and, pending the result of its labors, duties shall continue to be collected ad valorem.

(*b*) Improvement of the course of the Peiho and the Whangpu with the financial participation of the Chinese Government.

The further details concerning the mode of payment will be communicated to you later.

As to the question of the evacuation of Peking, we will shortly be in a position to inform you of its date.

I avail myself, etc., B. J. DE COLOGAN.

Mr. Rockhill to Mr. Hay.

No. 145.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, July 30, 1901.

SIR: In several dispatches I have referred to the subject of the creation of a river conservancy board at Shanghai, for the improvement of the navigation of the Whangpu River. I now have the honor to transmit a draft of an agreement, with annexed regulations, accepted by the diplomatic representatives and which will undoubtedly be agreed to by the Chinese plenipotentiaries. It is not yet decided whether this arrangement shall take the form of a separate instrument or be incorporated in the Final Protocol, the Russian minister having heretofore declared himself against any treaty or convention with China on any of the pending questions.

The main features of the agreement are the creation of an international conservancy board in which the Chinese Government and all the local interests of Shanghai are represented, and, secondly, the division of the expenses of the works between the Chinese Government and the foreign community of Shanghai in about equal shares.

The financial cooperation of the Chinese Government and the present consideration of this whole subject were secured by us as one of the conditions to our accepting an increase of the import tariff to 5 per cent effective.

The additional taxes on shipping, merchandise, and real estate in the foreign concessions and settlements at Shanghai meet with the approval of the General Chamber of Commerce and the consular corps, and can not be considered burdensome. I trust you will approve of my action in agreeing to these additional taxes, which seem to me highly proper in principle and will result in so great a benefit to Shanghai. It will doubtless be highly satisfactory to our Government to know that it has been able to bring about the settlement of this question, which for forty years has engrossed the attention of the foreign mercantile community of Shanghai.

I also inclose for your information (1) the minutes of the three first meetings of the subcommittee for considering the improvement of the Whangpu, (2) a note from Sir Robert Hart on the same subject, (3) a pamphlet said to have been written by Mr. Bredan, commissioner of customs at Shanghai, which gives the customs' views on the conservancy scheme, (4) report on the water approaches to Shanghai, by J. De Rijke, a Danish engineer, and (5) a précis on the efforts heretofore made to have the Whangpu River conserved.[1]

In my dispatch No. 108 of June 6, 1901,[2] I inclosed a pamphlet

[1] Inclosures not printed. [2] Not printed.

entitled "Notes of the proposed conservancy of the River Whangpoo at Shanghai," which contains the scheme for the creation of a conservancy board; this was used by the subcommittee of the diplomatic corps as a basis for the convention and regulations.

I am, sir, etc.,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 146.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, July 31, 1901.

SIR: I have the honor to inclose herewith copy of a note to the dean of the diplomatic corps from the Chinese plenipotentiaries, acknowledging the receipt of the former's note of the 19th instant (copy sent you in my No. 140) and expressing gratification at the satisfactory settlement of the audience question.

I am, etc., W. W. ROCKHILL.

[Inclosure.—Translation.]

Prince Ching and Li Hung Chang, to Mr. De Cologan.

PEKING, *July 27, 1901.*

YOUR EXCELLENCY: On the 25th of July we had the honor to receive your excellency's communication of 19th July, as follows:

"In reply to your letter of 10th of July, in which you propose that the foreign ministers going to audiences with His Majesty the Emperor of China should change their sedan chairs before going through the Ching-yun gate, and leaving there those in which they had reached that point, get into little sedan chairs borne by two bearers who would carry them to the foot of the steps of the Chien-ching gate, I have the honor to inform you that the foreign representatives have declared themselves satisfied with the proposal."

In reply, we would beg to observe that the foreign representatives having agreed to the proposal made by us in our communication of the 10th of July as to the place where they should alight from their chairs on going to audiences, and not insisting on placing us in a difficult position, fully evidence the fact of their friendliness and sympathy. The question of the ceremonial at audiences having now been settled, we will shortly send a special memorial to the Throne stating that it is now closed.

The creation of the Wai-wu Pu (Foreign Office) has already been presented to the Throne, and an edict issued which we have communicated to your excellency in another communication. Article 12 of the Joint Note has, therefore, been complied with and need not be a subject of further discussion.

In sending this reply, we beg your excellency will be good enough to communicate it to your colleagues.

Mr. Rockhill to Mr. Hay.

No. 147.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, July 31, 1901.

SIR: I have the honor to inclose herewith a translation of a note addressed to the dean of the diplomatic corps by the Chinese plenipotentiaries on the 27th instant, giving the terms of an Imperial decree creating the Board of Foreign Affairs. The Emperor gives this board precedence in official rank over the heretofore existing six great ministries (or boards) of state, and appoints a president, two ministers, and chiefs of bureau with the rank of vice presidents of boards to it.

The decree is in absolute conformity with the requests of the foreign representatives contained in the note of the dean of the diplomatic corps to the Chinese plenipotentiaries of April 22 last, copy of which was sent you with my No. 131 of July 9.

The president of the foreign office is I K'uang, better known as Prince Ch'ing, who has been president of the Tsungli Yamen since 1884.

The two ministers, who are to be with him the responsible heads of the office, are: (1) Wang Wen-shao, a native of the province of Chekiang, a member of the Grand Council of State (or Imperial Cabinet); he has held many high offices of state, having been twice a minister of the Tsungli Yamen and Viceroy of Chih-li; and (2) Ch'ü Hung-chi, a native of Hu-nan, formerly Vice-president of the Board of ceremonies; he has recently been raised to be a member of the Grand Council of State.

The two chiefs of bureau have both had experience in the diplomatic service. Hsü Shou-peng was secretary of legation in Washington under Chang Yin-huan, and until recently held the position of minister to Korea. He understands a little English. Lien Fang is an accomplished French scholar. He accompanied Anson Burlingame's mission abroad, has been secretary of legation in France, and is French secretary of Prince Ching.

On the whole, the composition of the new ministry may be considered as quite satisfactory, and makes a new and most important change in our relations with China, giving as it does preeminence to the foreign relations of the Empire over all other branches of its administration.

I am, etc., W. W. ROCKHILL.

[Inclosure.—Translation.]

The Chinese plenipotentiaries to Mr. de Cologan.

PEKING, *July 27, 1901.*

YOUR EXCELLENCY: On the 22d of April we had the honor to receive a communication from your excellency in which you pointed out that by Article XII of the Joint Note the Chinese Government shall undertake to reform the Office of Foreign Affairs.

At the time we presented the matter, as communicated by your excellency to us, in a memorial to the Throne, and asked for the issuance of a decree on the subject. We have now received a telegram from Si An, stating that the grand secretariat on the 24th of July received the following decree:

"Hitherto the appointment of officials and assigning to them the performance of certain official duties was for the reason that they could do what is suitable as occasion required. As the treaties are now being revised and settled, the first essential is to give due importance to the question of friendly intercourse among nations. To cultivate friendly relations in a sincere and faithful manner we must depend on our subordinates being men of the right caliber.

"The Tsungli Yamen was created for the purpose of transacting international affairs. Although it has been in existence for many years, the princes and ministers appointed to the charge of the duties thereof have been intrusted with the discharge of many other duties, and in consequence they have been unable with their entire energies and faculties to attend properly to the duties of the office. It is right, therefore, that special offices be created in order to assign to each incumbent his proper duty or responsibility. It is hereby ordered that the Tsungli Yamen be changed to Wai-wu Pu, Foreign Office, and it shall take precedence of the six Boards.

Prince Ch'ing is hereby appointed President; the Grand Secretary, Wang Wen-shao, is appointed Minister, and the President of the board of works, Chü Hung-chi, is transferred to the Wai-wu Pu as minister, with the title of Shang shu (i. e., President of a board).

Hsü Shou-peng, director of the imperial stud, and Lien Fang, an expectant director of a minor court, are hereby appointed chiefs of bureau with rank of senior and junior

vice-presidents. As to the other officers, secretaries, etc., their number and rank, the rules of appointment, salaries and grain allowances, let these matters be referred to the Board of Administration and board of civil office to be considered at once and a report thereon presented to us."

As in duty bound, we transmit the above decree changing the Tsungli Yamen to the Wai-wu Pu to your excellency, and will thank you to communicate same for the information of your colleagues.

Mr. Rockhill to Mr. Hay.

No. 148.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, August 6, 1901.

SIR: In further reference to the carrying out of Articles VIII and IX of the Joint Note of December 22 last, the previous correspondence concerning which I transmitted you in my dispatches Nos. 69, of April 16, and 143, of July 27, 1901, I have the honor to inclose herewith for your information a note addressed by the dean of the diplomatic corps to the Chinese plenipotentiaries under date of July 28 giving a list of the fortifications which are to be razed, and another, from the same to the same, stating the points which will be held by foreign troops to protect the lines of communication between the capital and the sea.

I am, sir, etc.,

W. W. ROCKHILL.

[Inclosure 1.—Translation.]

Mr. de Cologan to the Chinese plenipotentiaries.

PEKING, *July 28, 1901.*

HIGHNESS, EXCELLENCY: The foreign representatives direct me to inform you that to insure the carrying out of Article VIII of the collective note accepted by His Majesty the Emperor of China it was necessary to undertake the destruction of the following-named fortifications:

First. Military camp to the south of Yangtsun.
Second. The arsenal of Hsi-ku at Tientsin.
Third. The yellow fort at Tientsin.
Fourth. The black fort (citadel) at Tientsin.
Fifth. The eastern arsenal at Tientsin.
Sixth. The two camps of Chün-liang Ch'eng.
Seventh. The four camps at Hsin-ho.
Eighth. All the fortifications of Taku, namely: On the right bank of the Peiho, the coast battery with the camp which forms a part of it, and the south fort at Taku with its camp; on the left bank, the northwest and the north forts.
Ninth. All the fortifications at Pei-tang, to wit: The south fort (fort No. 1), the central and the north fort (forts Nos. 2 and 3), the two works to the north of forts Nos. 2 and 3, the camp situated between the line of these forts and the railway.
Tenth. All the camps existing at Lu-tai within a radius of 2,000 meters of the railway.
Eleventh. The camps between Tang-ho and Shan-hai Kuan within a radius of 2,000 meters of the railway.
Twelfth. The forts of Shan-hai Kuan.

The works mentioned under Nos. 2, 3, 4, 5, 6, 7, and 8 in the present letter will be razed by the provisional Government of the Chinese city of Tientsin.

The destruction of the other works, mentioned under Nos. 1, 9, 10, 11, and 12, devolves on the Chinese Government. This work should be carried out without delay by and under the direction of a technical commission composed of officers designated for that purpose by the commanders of the allied forces.

The representatives of the powers request your highness and your excellency to immediately appoint the delegate who will be directed to come to an understanding with the above-mentioned commission for the carrying out of these works.

B. J. DE COLOGAN

[Inclosure 2.—Translation.]

Mr. de Cologan to the Chinese plenipotentiaries.

PEKING, CHINA, *August 2, 1901.*

YOUR HIGHNESS AND YOUR EXCELLENCY: According to Article IX of the Joint Note accepted by His Majesty the Emperor of China, certain points to be determined by an agreement among the powers are to be occupied by foreign troops in order to maintain free communication between Peking and the sea. I am asked by my colleagues to inform your highness and your excellency that it has been decided, in pursuance of the terms of this article, to occupy the following places on (or adjoining) the Peking-Shan-hai-kuan railway: Huang-ts'un, Lang-fang, Yang-ts'un, Tientsin, Chün-liang-ch'eng, Tong-ku, Lu-t'ai, Tong-shan, Lan-chou, Chang-li, Chin-wang-tao, Shan-hai-kuan.

So far as Chinese subjects are concerned, the jurisdiction of the commanders of the military posts situated on the Peking-Shan-hai-kuan Railway will be confined to crimes and offenses committed by Chinese affecting the railway or the telegraphic communications or the persons and property of soldiers of the allied forces. It will be exercised over the territory along the railway to the extent of 2 miles on either side, and in the case of persons surprised in the act of committing offenses against the railway or the telegraph lines or against the persons or property of soldiers of the allied forces, pursuit can be continued beyond those limits wherever necessary. But with the exception of persons surprised in flagrante delicto, the search, pursuit, and arrest of offenders outside the 2-mile limit and handing them over to the foreign military authorities will be exercised by the Chinese authorities.

I avail myself, etc.,

B. J. DE COLOGAN.

Mr. Rockhill to Mr. Hay.

No. 149.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, August 8, 1901.

SIR: For your information in connection with my No. 116, of June 13 last, on the subject of the diplomatic quarter, I have the honor to inclose herewith copies of certain correspondence between the dean of the diplomatic corps and the Chinese plenipotentiaries, from which it will be seen that this matter has been brought to a satisfactory conclusion.

I am, sir, etc., W. W. ROCKHILL.

[Inclosure 1.—Translation.]

Mr. de Cologan to the Chinese plenipotentiaries.

PEKING, *June 30, 1901.*

HIGHNESS, EXCELLENCY: I have the honor to acknowledge the receipt of your letter of the 16th of June, concerning which I have been directed by my colleagues to make you the following observations:

First. The ministers of Austria-Hungary, of Italy, and of France have already stated to you that the east boundary of the diplomatic quarter was fixed and maintained at Ketteler street (Hata men street), and that the 100 feet to the west of the Hata men gate indicate the extreme limit of our occupation on the wall of the Tartar City, and have nothing in common with the limits on the street. This is what I had the honor to confirm to you in my letter of the 28th of May. It is, therefore, well understood that all the ground situated to the west of Ketteler street and starting from the foot of the wall is comprised in the diplomatic quarter.

There has never been any question, as you seem to think, about making a new public road; traffic on that side is to be limited to Ketteler street. I may add that it is on this condition that the diplomatic corps has consented to relinquish the occu-

pation of the Hata men gate and to withdraw the limit of its occupation on the wall to 100 feet to the west of said gate.

Second. The foreign representatives are satisfied with your declarations concerning the western boundary, with the reservation that the public highway is not to be enlarged beyond its present limits, and that the boundary of the quarter is at 40 meters to the west of this public highway and extends northward to the foot of the wall of the Imperial City.

His excellency the minister of Russia having consented to give up the two ministries situated to the west of the present limit of the legation quarter, under reserve that a lot should be given to Monsignor Favier, desires to inform you that, as a result of an understanding reached, Monsignor Favier is to obtain the ground to the north of the legation street, starting from the corner of the street Fu Kuei Chieh, in close proximity to the Board of Rites.

Third. As to the south limit, I inform you that in my letter of May 28 it was indicated by a line drawn at the foot of the wall along the south side, so that the part of the wall corresponding to the diplomatic quarter is comprised in it; consequently the foreign powers reserve to themselves the right to maintain on its police stations while binding themselves not to construct on it buildings which may change the exterior aspect of the wall.

You state in your letter of the 16th of June that on this point you agree with the representatives of the powers; consequently it is well understood that on the summit of the wall, from a point situated 100 feet to the west of the Hata men to a point, A, to the east of the Chien men, marked on the plan which you have in your possession, the policing shall be done exclusively by the legation guards, and that it will only be lawful to build on them the shelters necessary for those guards, in the style of those which existed formerly, so that the exterior aspect of the wall shall not be changed.

Fourth. As to the northern limit, in my letter of the 28th of May I informed you that the French minister had approved of your declaration by which this limit shall be at a distance of 80 meters from the Stuart road to the Viale d'Italia (Chang-ngan Chieh), and that these streets shall remain open to horses and wagons. It is to be well understood that traffic shall only be allowed in the present Chang-ngan street On the 80 meters to the north and on the 40 meters to the south of this street traffic is prohibited, and no buildings shall be put up thereon. Therefore, as I wrote to you in my above-mentioned letter of the 28th of May, the diplomatic corps can not authorize the building of police stations on this ground, which is to remain absolutely free from all buildings; but it leaves the Chinese police at liberty to patrol Chang-ngan Chieh street to enforce the police regulations of the diplomatic quarter, of which a copy will be sent you shortly. You will be at liberty to build houses for these police agents outside of the northern boundary of this zone.

The above explanations agree with the previous declarations of the ministers of Austria-Hungary, Italy, and of France, as well as with my previous communications on the same subject. They introduce no modifications.

As to the last part of your letter, concerning the exterior wall of the Imperial City, the diplomatic corps reserves to itself to write to you ulteriorly on the subject.

I avail myself, etc.,

B. J. DE COLOGAN.

[Inclosure 2.—Translation.]

Mr. de Cologan to the Chinese plenipotentiaries.

PEKING, CHINA, *July 19, 1901.*

HIGHNESS, EXCELLENCY: In further reference to my letter of the 29th of June, concerning the limits of the diplomatic quarter, I have the honor to inform you that his excellency the minister of Great Britain, no longer insisting on the destruction of the portion of the exterior wall of the Imperial City situated to the north of his legation, the foreign representatives have no objection to that wall being left standing.

Agreement on the questions concerning the limits of the diplomatic quarter having thus been reached, I beg your highness and your excellency to confirm this to me in reply to my letter of the 29th of June.

I avail myself, etc.,

B. J. DE COLOGAN.

[Inclosure 3.—Translation.]

Prince Ching and Li-hung Chang to Mr. de Cologan

PEKING, *July 31, 1901.*

YOUR EXCELLENCY: On the 30th June last we had the honor to receive your excellency's communication in regard to the limits of the diplomatic quarter. The views presented by your excellency are in accord with the understanding arrived at with the foreign representatives.

In the concluding paragraph, however, having reference to the outer Imperial wall, you state that the foreign representatives will again address us on the subject. We have, in consequence, been waiting for their reply, when we would again address your excellency, terminating this question.

We now learn that the British minister, Sir Ernest Satow, has agreed to rebuild the portions of the outer imperial wall which have been opened, and the question may therefore be regarded as settled.

In sending this reply to your excellency we beg that you will communicate it for the information of the foreign representatives.

Mr. Rockhill to Mr. Hay.

No. 150.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, August 8, 1901.

SIR: In further reference to my No. 115 of June 12, last, regarding the erection of expiatory monuments in the foreign cemeteries which were desecrated during the troubles of last summer, I have the honor to inclose herewith for your information copies of certain correspondence between the dean of the diplomatic corps and the Chinese plenipotentiaries, from which it will be seen that this matter has been satisfactorily settled.

I am, sir, etc., W. W. ROCKHILL.

[Inclosure 1.—Translation.]

Mr. de Cologan to the Chinese plenipotentiaries.

PEKING, *July 31, 1901.*

HIGHNESS, EXCELLENCY: Referring to the correspondence which has been exchanged between us concerning the carrying out of article 4 of the Joint Note, I have the honor to inform you that the cemeteries desecrated are seven in number, all of them situated in the neighborhood of the capital. They are divided as follows as regards their nationality: 1 British, 5 French, and 1 Russian.

The expiatory monuments to be raised in each of these cemeteries having been estimated at the sum of 10,000 taels each, you have to pay the following sums:

	Taels.
To the British legation	10,000
To the French legation	50,000
To the Russian legation	10,000

My colleagues request me to beg you to have this payment made at the earliest date.

I avail myself, etc., B. J. DE COLOGAN.

[Inclosure 2.—Translation.]

Prince Ching and Li Hung-chang to Mr. de Cologan.

PEKING, *August 2, 1901.*

YOUR EXCELLENCY: On the 31st of July we had the honor to receive your excellency's communication having relations to article 4 of the Joint Note. Your excellency points out that several communications have passed regarding proposed action to be taken in the premises, and now calls attention to the fact that there are seven cemeteries that have been desecrated and where expiatory monuments are to be erected, at an estimated cost of 10,000 taels each. Ten thousand taels should be paid to the British legation, 50,000 taels to the French legation, and 10,000 taels to the Russian legation. You request, on behalf of foreign representatives, that this money be paid without delay.

In reply, we beg to send you three bank notes for the sum due, namely, one for 10,000 taels, to be paid the British legation, one for 50,000 taels, to be paid the French legation, and one for 10,000 taels, to be paid to the Russian legation, in all 70,000 taels, which we ask your excellency to receive and forward to their respective destinations, and to favor us with a reply.

(Inclosures: Three Hongkong and Shanghai bank notes amounting to 70,000 taels.)

Mr. Rockhill to Mr. Hay.

No. 151.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, August 8, 1901.

SIR: In my dispatch No. 142, of the 26th instant, I referred to the probability of the powers, in view of their inability to devise a practicable scheme for enforcing the prohibition of the importation of arms and ammunition into China, asking the Chinese Government to take the necessary measures itself to attain the desired end.

This step has been finally decided upon, and the inclosed note has been addressed by the dean of the diplomatic corps to the Chinese plenipotentiaries. I am advised that the edict asked for will be promptly issued. It is believed that it is very unlikely that a renewal of the first term of two years will be asked for, the powers being now generally adverse to this provision of the Joint Note.

I am, sir, etc.,

W. W. ROCKHILL.

[Inclosure.—Translation.]

Mr. de Cologan to the Chinese plenipotentiaries.

PEKING, *August 6, 1901.*

HIGHNESS, EXCELLENCY: The representatives of the powers, with the object of securing the execution of the Joint Note of December 22d, 1900, accepted by His Majesty the Emperor of China, have directed me to request you to solicit the signing of an Imperial edict prohibiting for the term of two years the importation of arms and ammunition, as well as of material serving exclusively for the manufacture of arms and ammunition.

My colleagues would be pleased if this edict were published as soon as possible, so that it may be annexed to the Final Protocol.

In fixing at the present moment a term of two years for the prohibition of the importation into China of the above-mentioned articles, the representatives of the powers wish to make it clear at the same time that after the expiration of this term, new Imperial edicts, renewing from two years to two years the prohibition of the importation of arms and ammunition, as well as of material used exclusively for the manufacture of arms and ammunition, shall be promulgated if the powers request it.

I avail myself, etc.,

B. J. DE COLOGAN.

Mr. Rockhill to Mr. Hay.

No. 152.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, August 9, 1901.

SIR: The Final Protocol embodying the results of the negotiations was to have been submitted on the 6th instant to the conference by the committee charged with drafting it, but the British minister the evening before the meeting sent word that he could not attend the meeting and asked that it be deferred to a later date. No reasons were given for asking the postponement.

The day before yesterday Sir Ernest Satow called on me and told me he had asked that the meeting be deferred because he was without instructions from his government, to whom he had telegraphed the text of the Protocol (before its acceptance by the drafting committee, I may remark). He had now received the expected instructions. His government objected to a number of passages in the draft. It wanted the insertion in Article VI, paragraph *c*, of a clause to the effect that "no conversion, redemption, or cancellation of the bonds shall take place otherwise than by action of sinking fund, which shall be neither increased nor diminished without the consent of the powers."

The British Government also objected to the international committee for the conversion of ad valorem duties into specific, claiming that, the tariff in force at present being the British one, the most-favored-nation clause will protect all interests, and that it could not admit of its tariff being converted by an international board. These are the principal objections.

The first clause which Great Britain wishes to have introduced was originally suggested by the Japanese Government, but, in view of the strong opposition which developed against it, the matter was wisely dropped. The clause read, when suggested by Japan:

> No conversion, redemption, or cancellation of the bonds shall take place otherwise than by action of sinking fund, and, as long as any portion of the bonds remains unpaid, China shall not grant to any power any separate or exclusive territorial or financial advantages.

As I did not believe that this provision could accomplish the object it had in view, I have never supported it, and have held that it would undoubtedly offend some of the powers, who would categorically refuse to accept it. The Russian minister has since stated that he would not agree to it, and several of the other representatives hold the same views.

The refusal of the British Government to agree to the international commission for the conversion of the tariff is wholly inexplicable, for the commission was unanimously accepted by the conference on June 11, when it was proposed by the Japanese minister as a condition for his acceptance of my proposal to convert the import duties into specific ones. The Chinese Government was duly informed on July 27 (see my No. 144, of that date) that this commission was one of the conditions asked for in return for the powers agreeing to a 5 per cent effective import duty.

* * * * * * *

I have the honor, etc.,

W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 153.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, August 12, 1901.

SIR: I have the honor to inclose herewith copy of a note addressed by the dean of the diplomatic corps, under date of the 8th instant, to the Chinese plenipotentiaries, asking the financial cooperation of their government in the work of improving the navigability of the Peiho and Whangpu rivers, and their acceptance of the regulations concerning the organization, duties, and revenues of the Whangpu River Conservancy board.[a]

The regulations will figure as an annex to the Final Protocol.

I am, etc.,

W. W. ROCKHILL.

[Inclosure in No. 153.—Translation.]

Mr. de Cologan to the Chinese plenipotentiaries.

PEKING, *August 8, 1901.*

HIGHNESS, EXCELLENCY: As I had the honor to write you on the 30th of July, the representatives of the powers, in consenting to the raising to 5 per cent effective of the present tariff on maritime imports, have decided to ask of China, as a compensation, to participate financially in the improvement of the courses of the Peiho and the Whangpoo.

As regards the Peiho, the works for improvement commenced in 1898 have recently been resumed by an international committee in which the Chinese Government will be able to be represented as soon as the administration of Tientsin shall have been handed over to it. The representatives of the powers have only to request the Chinese Government to pledge itself to pay annually to the said commission a sum of 60,000 Haikwan taels for the maintenance of the works.

As regards the Whangpu, a conservancy board, charged with the direction and control of the works, is to be created. This board shall consist of members representing the interests of the Chinese Government and those of the foreigners engaged in the shipping trade of Shanghai. The expenses entailed by the works and the general management of the undertaking are estimated at the sum of 460,000 taels during the first twenty years. This sum shall be supplied in equal portions by the Chinese Government and foreign interests. The detail of the stipulations concerning the composition, duties, and revenues of the board are given in the inclosed Projet de règlement.

By taking cognizance of this latter document, your highness and your excellency will see that the powers, taking into consideration the present financial condition of the Empire, ask only of China the pecuniary sacrifices indispensable for the general interests in question.

I avail myself of this opportunity, etc.,

B. J. DE COLOGAN.

Mr. Rockhill to Mr. Hay.

No. 154.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, August 12, 1901.

SIR: In my telegram of the 8th instant and in my dispatch No. 152 of the 9th I referred to the refusal of the British Government to accept the international commission for the conversion of the tariff, which the conference considered had been finally accepted on June 11 last.

To-day, at a meeting of the diplomatic corps, the Final Protocol was

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[a] For regulations, see Final Protocol, annex No. 17.

again discussed and an agreement reached on every part of it, except the above-mentioned provision. The British minister stated that he would not refuse to sign the protocol if it was embodied in it, but in case he did sign he would have to note on the Protocol the reserve of his Government as to this clause.

It being held by the conference that such a course was not desirable, and in the hope of closing definitely the final protocol the representatives of the powers, while expressing their disapproval of reopening a question considered settled by a unanimous vote as far back as the 11th of last June, and on condition that no other question should be raised but the Protocol finally accepted, agreed to the British formula, which reads as follows:

All duties on imports levied ad valorem shall be converted into specific duties, so far as it is possible to do so, and with the least delay.

The paragraph read originally:

An international commission shall be appointed for that purpose. The powers having a treaty with China and also the Chinese Government can be represented on it by one or more delegates, but they can only have one vote.

The chief argument of the British minister against this commission was that it would be unwieldly; as votes would have to be unanimous, it would take a very long time to complete its work, the number of articles on the tariff being over 1,250.

It is the intention of the British Government to ask the chief commercial powers in China, Japan, Germany, and the United States to join with it in the work of conversion of the tariff conjointly with the Chinese maritime customs.

* * * * * *

The free list was also agreed upon after a short discussion, and with that the Final Protocol was definitely accepted. A copy of it will be sent at once to the Chinese plenipotentiaries and they will be asked when they can sign it.

I have the honor, etc., W. W. ROCKHILL.

Mr. Rockhill to Mr. Hay.

No. 155.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, August 19, 1900.

SIR: I have the honor to transmit to you herewith translation of a letter addressed by the Chinese plenipotentiaries to the dean of the diplomatic corps under date of the 17th instant, informing him of the objections raised by the Superintendent of southern trade, the Viceroy Liu K'un-yi, to the Whangpu River conservancy scheme, and also the reply of the dean of the diplomatic corps to the same, stating the concessions made to Viceroy Liu's views and the reason for not making further alterations in the scheme.

The letter of the Chinese plenipotentiaries was written on my suggestion, Viceroy Li Hung-chang having told me that he was bound to put on record the Nanking viceroy's views, although he and Prince Ching were willing to accept the plan drawn up by the diplomatic representatives, with the amendments offered in Articles XXXIII and XXXIV of the Regulations.

I am, etc., W. W. ROCKHILL.

[Inclosure No. 1. Dispatch No. 155.—Translation.]

Chinese plenipotentiaries to Mr. De Cologan.

PEKING, *August 17, 1901.*

On receipt of the dispatch and the annexed regulations concerning the conservancy of the Woosung River, which was sent us a few days ago by your excellency, we hastened to submit the question to the examination of the Superintendent for southern trade.

We have received to-day from the latter the following telegraphic reply:

"I took up these last days, with several foreign consuls, the question of carrying out (this scheme). The British consul told me that his minister had confined himself to telegraphing to him to inform me of it, without having directed him to enter into a discussion on the subject. Consequently I confined myself to asking him to submit my views on the matter, without being able to discuss the question.

"This subject being part of an international agreement, it is naturally to you that it belongs to discuss it with the foreign ministers.

"As my consent has already been given to the deepening of the river, it is proper that the execution of the work should belong to China, and it is necessary that the sovereign right of China should be recognized. It would be proper that the proposed board should be a Chinese board rather than a foreign one. I beg, therefore, that you will take steps to preserve to us the control, following the lines laid down clearly and in detail in my different telegrams, so that no disagreement shall arise in the future. This is much to be desired for the general interest.

"As to junks and Chinese-owned land, the British consul told me orally that there had originally been no intention of taxing them. Some time after the German consul assured me also that no tax would be levied on native boats, and that the land of Chinese would be subject to a very light tax of one-tenth of 1 per cent. Considering the poverty of the common people, it would seem that this tax might be given up, and that if the seven-tenths of the revenue of the tonnage dues should be insufficient—the three other tenths being reserved for the expenses of the ministry of foreign affairs—it would be necessary for the carrying out of these works to use customs receipts. I would also ask of you in this matter to take some decision and to submit a memorial to the Throne. The ministers of America and Japan have telegraphed to me to beg me to give my consent, and I at once consented to the opening of the river. But it is necessary that we should be preserved in our sovereign rights. The board in question should be organized by the customs taotai and the commissioner of customs. The control over the expenses necessitated for the works will be exercised jointly with the delegates of the powers. The agents employed on the works will be engaged jointly by the different powers, but all the other questions are subject to the sovereign authority of the taotai and the commissioner of customs. After the completion of the works the taxes should be abolished, the board dissolved, and the future management should return entirely to the taotai and the commissioner of customs.

"The above are the points on which I beg you to negotiate with the ministers and obtain their acceptance."

We, prince and minister, have therefore to state that the Superintendent of southern trade has already given his consent to carrying out the works of deepening the Woosung River, but, as that high official adds, the sovereign rights of China should be recognized. The board should appear as a Chinese board, and be organized by the taotai and the commissioner of customs. The control of the expenses of the undertaking, however, shall be exercised conjointly with the delegates of the powers. It will therefore be necessary, in such articles as the twenty-seventh, thirty-third, and thirty-fourth, which require the agreement of the consulate body, to make mention of the taotai of Shanghai before the consular body. By so doing the rights of sovereignty will remain unimpaired.

As regards junks and Chinese-owned land, since the British consul has not expressed the opinion that they should be taxed and the German consul has given assurances that junks would not be taxed, and that it is also possible to give up the idea of levying taxes on Chinese-owned land, we think that the foreign plenipotentiaries will agree with us on this point. We have therefore to ask that paragraphs 1 and 2 of article 30, concerning revenues, shall be stricken out, and that, in case of insufficiency of tonnage dues, we will take upon us to submit to the Throne a report proposing to make up the deficit by means of the 5 per cent effective customs dues.

We deem it therefore necessary to address the present official communication to your excellency, and to beg you to submit it as soon as may be to the examination of the foreign plenipotentiaries, so that they may, without any delay, come to a favorable decision upon it, which we beg you will communicate to us.

This in consideration of our friendly relations.

[Inclosure 2.—Translation.]

Mr. de Cologan to the Chinese plenipotentiaries.

PEKING, *August 18, 1901.*

HIGHNESS, EXCELLENCY: I hastened to transmit to my colleagues your letter dated the 17th of August, in which you informed me of the observations and requests of His Excellency Liu Kun-yi concerning the regulations for the improvement of the course of the Whangpu, and I have the honor to inform you of their reply.

The representatives of the powers direct me unanimously to inform you that they consider the question of the regulations for the Whangpu as being finally agreed upon, and that it is consequently impossible for them to reopen the discussion on that subject. They insist that you shall immediately submit this reply to the Throne, so as to obtain from it in the shortest time authorization to sign the final protocol.

This point being dismissed, my colleagues wish you to remark that they have never had the intention of infringing upon the sovereign rights of the Chinese Government.

Nevertheless, they do not see their way to comply with the request of the Superintendent of southern trade as regards the formation of the board by the taotai and the inspector-general of customs, for this request goes against the steps which they have taken to maintain an equal division between the important interests concerned. It can not be conciliated with the guaranties the powers have been led to ask of China, and which they have chosen after careful study. Furthermore, the presence of the taotai and the commissioner of customs on the board gives to China an important representation, sufficient to safeguard its rights and its interests.

As you may convince yourself, the regulations in question only impose taxes on ships of non-Chinese type; that is to say, that native junks are exempt from these duties.

The taxes on property situated along the Whangpu do not constitute a heavy burden, especially in view of the appreciation of value the improvement of the course of the river will give to this property. This consideration, which can not escape the superintendent of southern trade, obliges the representatives of the powers to insist on the taxation of real estate along the bank of the Whangpu.

The remark of the superintendent of southern trade concerning handing over the completed works to the Chinese Government after a term of twenty years is premature.

As regards the telegram of His Excellency Liu Kun-yi referring to the inadequacy of the tonnage dues to cover the portion to be contributed by the Chinese Government, the representatives of the powers have to recall to you that these tonnage dues, being assigned to foreign loans, China will be, under all circumstances, obliged to pay the amount of its contribution for the expenses of the works in question from other sources.

Articles 33 and 34 stipulate that the board shall submit for the approbation of the consular body at Shanghai such increases of taxes as it may have to decide upon, and also its report on the annual accounts. Your highness and your excellency have asked that the approbation of the taotai should be also needed, and that the official should be mentioned before the consuls. My colleagues have the honor to call your attention to the fact that the taotai, being also a member of the board, can not be invested with the power of approving the decisions of this assembly, and that in no case is it possible to place him before the consular body of the powers. But being, nevertheless, desirous to show their spirit of conciliation, and to give your highness and your excellency and also His Excellency Liu Kun-yi proof of high esteem, the representatives of the powers agree to stipulate in articles 33 and 34 that the decisions of the board shall be communicated to the superintendent of southern trade, and to mention this high official before the consular body.

Finally, my colleagues insist that I shall call your attention to the fact that the improvement of the course of the Whangpu is one of the conditions made by the powers for their acceptation of the raising of the tariff on maritime imports to an effective 5 per cent; that the above-mentioned regulations form an integral part of the clauses resulting from the note of the 22d of December, 1900, and that it has been approved by all foreign governments. In consequence of this, they put the said condition to the concession mentioned above.

I avail myself, etc.

B. J. DE COLOGAN.

Mr. Rockhill to Mr. Hay.

No. 156.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, August 29, 1901.

SIR: I have the honor to transmit herewith for your information translation of a note sent by me to the Chinese plenipotentiaries asking that prompt action be taken on my note of July 1 last, asking for the rehabilitation of Chang Yin-huan, also translation of the reply of the Chinese plenipotentiaries received yesterday.

Viceroy Li Hung-chang has repeatedly assured me of late, in conversation, that he could promise me that favorable action would be taken by the Government on our request.

I am, etc. W. W. ROCKHILL.

[Inclosure No. 1. Dispatch No. 156.—Translation.]

Mr. Rockhill to the Chinese Plenipotentiaries.

COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, August 27, 1901.

YOUR HIGHNESS AND YOUR EXCELLENCY: On the 1st of last July I had the honor to communicate to you the earnest desire of my Government to see rehabilitated the memory of Chang Yin-huan, late minister of His Imperial Majesty the Emperor of China to the United States, who was put to death last year in Turkestan.

Not having heard from your highness and your excellency on the subject, I have the honor to recall the matter, in which my Government takes great interest, to your attention, and would deem it a great personal favor if His Majesty's Government could be communicated with by telegraph on the subject.

Hoping that I may promptly be in a position to inform my Government that its wish has been complied with, I avail myself of this opportunity to renew to your highness and your excellency the expression of my highest consideration.

W. W. ROCKHILL.

[Inclosure No. 2. Dispatch No. 156.—Translation.]

Prince Ching and Earl Li to Mr. Rockhill.

PEKING, AUGUST 28, 1901.

Prince Ching, minister plenipotentiary, etc.; and Li, minister plenipotentiary, grand secretary, etc., send this reply:

We have the honor to acknowledge the receipt, on the 14th of this moon (August 27), of your excellency's dispatch, making urgent inquiry concerning the matter of cleansing from stain the memory of Chang Yin-huan, formerly minister of China to the United States.

As to this matter we have already prepared a memorial stating in detail the circumstances, which was forwarded by fast courier to His Majesty, and we now await His Majesty's reply, on receipt of which we will again write and inform your excellency. To this end we send this reply.

Mr. Rockhill to Mr. Hay.

No. 157.] COMMISSIONER OF THE UNITED STATES TO CHINA,
Peking, China, August 29, 1901.

SIR: In my dispatch No. 151, of the 8th instant, I had the honor to inform you that the representatives of the powers had requested the Chinese plenipotentiaries to memoralize the Throne for an edict pro-

hibiting the importation of arms, ammunition, and of materials used exclusively for their manufacture for a period of two years.

I inclose herewith a note from the Chinese plenipotentiaries to the dean of the diplomatic corps transmitting the text of an edict, promulgated the 25th of August, prohibiting said importation, and also the reply of the dean of the diplomatic corps to the same, dated the 28th instant.

Although I did not fully agree with my colleagues that the facts stated in the edict are not true, I did not think it necessary to refuse to agree to the letter.

I am, etc, W. W. ROCKHILL.

[Inclosure No. 1.—Dispatch No. 157.—Translation.]

The Chinese plenipotentiaries to Mr. de Cologan.

PEKING, *August 26, 1901.*

On receipt of the telegraphic report sent by us to the Throne to make known the fixing of a term of two years, during which should be prohibited the importation of arms and ammunitions, and to request an Imperial edict for that purpose, we learn by telegram from the grand council at Si-an that the following edict has been promulgated on the 12th of the present month (August 25):

"The importation of arms is contrary to law. Nevertheless, traders at the ports open to commerce are constantly, under pretext of official purchases, importing and clandestinely selling these arms. Considering that recently peace has been troubled by brigands, and that it is highly important to publish express prohibitions so as to prevent the occurrence of troubles, we command all Tartar generals, governors-general and governors of provinces, as well as customs taotais to prohibit, in the first place for a period of two years, the importation of arms and of materials serving exclusively in their manufacture and coming from abroad.

"Inform the board concerned.

"By Imperial order."

Although this decree will be promulgated by the grand secretariat, we deem it necessary to communicate it to your excellency by the present dispatch, requesting you to bring it to the knowledge of the foreign plenipotentiaries.

[Inclosure No. 2, dispatch 157.—Translation.]

M. de Cologan to the Chinese plenipotentiaries.

PEKING, *August 28, 1901.*

HIGHNESS, EXCELLENCY: I have the honor to acknowledge the receipt of your letter of the 26th instant, by which you transmit to me an Imperial edict prohibiting the importation of arms and ammunition.

The representatives of the powers after having examined this document have directed me to forward to you the following observations:

(1) The preamble of this edict, not being in conformity with facts and restricting the bearing of Article V of the Joint Note of the 22d December, 1900, should be struck out.

(2) The prohibition of the importation of arms and ammunition and of material used exclusively in the manufacture of arms and ammunition, applied to the Chinese Government itself as well as to all its agents.

In view of the above, the only portion of the Imperial edict which will be annexed to the Final Protocol is the following:

"We command all Tartar generals, governors-general, and governors of provinces, and also the customs taotais to prohibit, in the first place for a period of two years, the importation of arms and of materials used exclusively in their manufacture and brought from abroad.

"Inform the board which it concerns.

"By Imperial order."

I avail myself of this opportunity, etc., B. J. DE COLOGAN.

[Translation.]

Minutes of the third conference with the Chinese plenipotentiaries, held September 7, 1901.

The diplomatic corps, comprising the ministers of Germany, Austria-Hungary, Belgium, Spain, France, Great Britain, Italy, Japan, Holland, Russia, and the plenipotentiary of the United States met at 11 o'clock at the Spanish legation under the presidence of Mr. de Cologan, doyen, and affixed their names to the final protocol of the negotiations.

The representatives of the powers were nearly all accompanied by the first secretaries and interpreters of their legations.

Prince Ch'ing and Li Hung-chang, Chinese plenipotentiaries, were accompanied by M. Lien Fang, under secretary of foreign affairs, and M. Tseng, secretary of the governor-general Li Hung-chang, who acted as interpreters.

After the Chinese plenipotentiaries had affixed their names and seals to the twelve copies of the protocol, the foreign ministers also signed these documents. This done, the doyen rose and read the following discourse:

"HIGHNESS AND EXCELLENCY: We have just signed a document of the greatest importance, which establishes the normal relations of amity between the foreign nations and the Chinese Empire.

"This act is the consequence of extraordinary events which are not pleasant to repeat here. It is the earnest wish of my honorable colleagues and myself that in the lapse of time these events will be more and more enveloped with those of the past. Thanks to the faithful accomplishment of the different clauses of this protocol. It is in this manner that China will demonstrate its sincere intention to cultivate the best international relations, and it is also in this manner that the protocol will produce its fruits of good and cordial amity in the future. Such is the earnest desire of the Governments and their representatives here present who, during the lengthy negotiations which they have pursued with you as Chinese plenipotentiaries, have exercised their best efforts to prove to you their good will by making you all possible concessions.

"We congratulate ourselves for having contributed to this desirable result, and I have the honor to address to your highness and to your excellency the most sincere wishes which we cherish for the peace and happiness of the Empire."

M. Morisse translated the discourse of M. de Cologan, to which Prince Ch'ing responded as follows, in Chinese, M. Lien Fang acting as interpreter:

"MESSIEURS LES MINISTRES: It becomes my pleasure to thank you, in the name of my colleague and myself, for the words which your doyen has seen fit to pronounce on the occasion of the signing of the important document which reestablishes normal relations of amity between the foreign powers and the Chinese Government.

"This document has a most important function to perform; it has to efface the consequences of the criminal and unprecedented events of last year and to preserve our friendly relations.

"We give you our formal assurance that such events as these shall never occur again.

"We thank the representatives of the powers for the good will which they have shown and for the concessions which they have made us in the course of these lengthy negotiations. We entertain the most sincere wishes for the sovereigns and rulers of the powers. We earnestly wish that constant peace and perpetual amity may reign between our respective Governments, and that your excellencies may enjoy happiness and good health in the future,"

After these addresses Prince Ch'ing and Li Hung-chang retired.

The meeting adjourned at 11.30.

PROTOCOLE FINAL.

Les Plénipotentiaires:
d'Allemagne, Son Excellence M. A. Mumm von Schwarzenstein;
d'Autriche-Hongrie, Son Excellence M. Czikann von Wahlborn;
de Belgique, Son Excellence M. Joostens;
d'Espagne, Son Excellence M. B. J. de Cologan;
des Etats-Unis d'Amérique, Son Excellence M. W. W. Rockhill;
de France, Son Excellence M. Paul Beau;
de Grande Bretagne, Son Excellence Sir Ernest Satow;
d'Italie, Son Excellence le Marquis Salvago Raggi;
du Japon, Son Excellence M. Jutaro Komura;
des Pays-Bas, Son Excellence M. F. M. Knobel;
de Russie, Son Excellence M. M. de Giers; et
de Chine, Son Altesse Yi-K'uang, Prince du premier rang K'ing, Président du Ministère des Affaires Étrangères et Son Excellence Li Hong-tchang, Comte du premier rang, Sou-yi, Tuteur de l'Héritier Présomptif, Grand Secrétaire du Wen-houa-tien, Ministre du commerce, Surintendant des ports du nord, Gouverneur-Général du Tcheli;

se sont réunis pour constater que la Chine s'est conformée, à la satisfaction des Puissances, aux conditions énumérées dans la note du 22 Décembre 1900 et qui ont été acceptées dans leur entier par Sa Majesté l'Empereur de Chine par un décret en date du 27 Décembre 1900 (annexe [a] No. 1).

Article I[a].

Par un Edit Impérial du 9 Juin dernier (annexe No. 2), Tsai-Feng, Prince du premier rang Tch'oun, a été nommé Ambassadeur de Sa Majesté l'Empereur de Chine et a été chargé en cette qualité de porter à Sa Majesté l'Empereur d'Allemagne l'expression des regrets de Sa Majesté l'Empereur de Chine et du Gouvernement chinois au sujet de l'assassinat de feu Son Excellence le Baron von Ketteler, Ministre d'Allemagne.

Le Prince Tch'oun a quitté Pékin le 12 Juillet dernier pour exécuter les ordres qui lui ont été donnés.

Article I[b].

Le Gouvernement chinois a déclaré qu'il érigera sur le lieu de l'assassinat de feu Son Excellence le Baron von Ketteler un monument commémoratif, digne du rang du défunt et portant une inscription en

[a] Note.—For annexes see translation of Final Protocol. The original protocol is in French and Chinese in parallel columns, the French on the left side.

langues latine, allemande et chinoise qui exprimera les regrets de Sa Majesté l'Empereur de Chine à propos du meurtre commis.

Leurs Excellences les Plénipotentiaires chinois ont fait savoir à Son Excellence le Plénipotentiaire d'Allemagne, par une letter en date du 22 Juillet dernier (annexe No. 3), qu'un portique de toute la largeur de la rue est érigé sur le dit lieu et que les travaux ont commencé le 25 Juin dernier.

Article II[a].

Les Edits Impériaux en date des 13 et 21 Février 1901 (annexes Nos. 4, 5 et 6) ont infligé les peines suivantes aux principaux auteurs des attentats et des crimes commis contre les Gouvernements étrangers et leurs nationaux:

Tsai-Yi Prince Touan, et Tsai-Lan Duc Fou-Kouo, ont été traduits pour être exécutés devant la Cour d'assises d'automme, et il a été stipulé que si l'Empereur croit devoir leur faire grâce de la vie, ils seront exilés au Turkestan et y seront emprisonnés à perpetuité, sans que cette peine puisse jamais être commuée.

Tsai-Hiun, Prince Tchouang, Ying-Nien, Président de la Cour des censeurs, et Tchao Chou-K'iao, Président au Ministère de la justice, ont été condamnés à se donner la mort.

Yu-Hien, Gouverneur du Chansi, K'i-Sieou, Président au Ministère des rites, et Siu Tch'eng-yü, précédemment Directeurs de gauche au Ministère de la justice, ont été condamnés à la peine de mort.

La dégradation posthume a été prononcée contre Kang-Yi, sous Grand-Secrétaire d'Etat, Président au Ministère de l'Intérieur, Siu-T'ong, Grand-Secrétaire d'Etat, et Li Ping-heng, ancien Gouverneur-Général du Sze-tch'ouan.

Un Edit Impérial du 13 Février 1901 (annexe No. 7) a réhabilité la mémoire de Siu Yong-yi, Président au Ministère de la Guerre, Li-chan, Président au Ministère des Finances, Hiu King-tch'eng, Directeur de gauche au Ministère de l'Intérieur, Lien-Yuan, vice-Chancelier au Grand-Secretariat, et Yuan-tch'ang, Directeur à la Cours des Sacrifices, qui avient été mis à mort pour avoir protesté contre les abominables violations du droit international commises au cours de l'année dernière.

Le prince Tchouang s'est donné la mort le 21 Février 1901, Ying-Nien et Tchao Chou-Kiao le 24, Yu-Hien a été exécuté le 22, enfin K'i-Hieou et Siu Tch'eng-yu le 26.

Tong Fou-siang, Général au Kansou a été privé de ses fonctions par Edit Impérial du 13 Février en attendant qu'il soit statué sur la peine définitive à lui infliger.

Les Edits Impériaux du 29 Avril et 19 Août 1901 ont infligé des peines graduellas aux fonctionnaires des provinces reconnus coupables des crimes et attentats commis au cours de l'été dernier.

Article II.[b]

Un Edit Impérial promulgué le 19 Août 1901 (annexe No. 8) a ardonné la suspension des examens officiels pendant cinq ans dans toutes les villes où des étrangers ont été massacrés où ont subi des traitements cruels.

ARTICLE III.

Afin d'accorder une réparation honorable pour l'assassinat de feu M. Sougiyama, Chancelier de la Légation du Japon, Sa Majesté l'Empereur de Chine a, par un Edit Impérial du 18 Juin 1901 (annexe No. 9), désigné le vice-prèsident au Ministère des finances Na-t'ong comme Envoyé Extraordinaire et l'a chargé spécialement de porter à Sa Majesté l'Empereur du Japon l'expression des regrets de Sa Majesté l'Empereur de Chine et de son Gouvernement au sujet de l'assassinat de feu M. Sougiyama.

ARTICLE IV.

Le Gouvernement chinois s'est engagé à ériger un monument expiatoire dans chacum des cimetières étranger ou internationaux qui ont été profanés et dont les tombes ont été détruites. D'accord avec les Représentants des Puissances il a été convenue que les légations intéressées donneront les indications pour l'érection de ces monuments à charge par la Chine d'en couvrir tous les frais, évalués à dix mille taels pour les cimetières de Pékin et des environs, à cinq mille taels pour les cimetières des provinces. Ces sommes ont été versées, et la liste de ces cimetières est ci-jointe (annexe No. 10).

ARTICLE V.

La Chine a accepté de prohiber sur son territoire l'importation des armes et des munitions ainsi que du matériel destiné exclusivement à la fabrication des armes et des munitions.

Un Edit Impérial a été rendu le 25 Août 1901 (annexe No. 11) pour interdire cette importation pendant une durée de deux années. De nouveaux Edits pourront être rendus par la suite pour proroger ce terme de deux ans en deux ans dans le cas de nécessité reconnue par les Puissances.

ARTICLE VI.

Par un Edit Impérial en date du 29 Mai 1901 (annexe No. 12) Sa Majesté l'Empereur de Chine s'est engagé à payer aux Puissances une indemnité de quatre cent cinquante millions de Haikouan Taels. Cette somme représente le total des indemnités pour les Etats, les sociétés, les particuliers et les Chinois visés à l'article VI de la Note du 22 Décembre 1900.

(*a*) Ces quatre cent cinquante millions constituent une dette en or calculée aux cours du Haikouan Tael par rapport à la monnaie d'or de chaque pays tels qu'ils sont indiqués ci-après:

1 Haikouan tael = marks 3.055.
= couronnes austro-hongroises 3.595.
= dollar or 0.742.
= francs 3.750.
= livre sterling 0 shillings 3 pence 0.
= yen 1.407.
= florin néerlandais 1.796.
= rouble or 1.412 (au titre de dolia 17,424).

Cette somme en or sera productive d'intérêts à quatre pour cent l'an et le capital en sera remboursé par la Chine en trente-neuf années

dans les conditions indiquées au plan d'amortissement ci-joint (annexe No. 13).

Le capital et les intérêts seront payables en or ou aux taux de change correspondant aux dates des diverses échéances.

Le fonctionnement de l'amortissement commencera le 1 Janvier 1902 pour finir à l'expiration de l'année 1940. Les amortissements seront payables annuellement, la première échéance étant fixée au 1 Janvier 1903.

Les intérêts seront comptés à partir du 1 Juillet 1901, mais le Gouvernement chinois aura la faculté de se libérer, dans un délai de trois ans, commençant le 1 Janvier 1902, des arrérages du premier semestre finissant le 31 Décembre 1901, à la condition toutefois de payer des intérêts composés à quatre pour cent l'an sur les sommes dont le versement aura ainsi été différé. Les intérêts seront payables semestriellement, la première échéance étant fixée au 1 Juillet 1902.

(*b*) Le service de la dette sera effectué à Shanghai et de la manière suivante:

Chaque Puissance se fera représenter par un délégué dans une Commission de banquiers qui sera chargée d'encaisser le montant des intérêts et des amortissements qui lui sera versé par des autorités chinoises désignées à cet effet, de le répartir entre les intéressés et d'en donner quittance.

(*c*) Le Gouvernement chinois remettra au Doyen du Corps Diplomatique à Pékin un bon global qui sera transformé ultérieurement en coupures revêtues de la signature des délégués du Gouvernement chinois désignés à cet effet. Cette opération et toutes celles se rapportant à l'établissement des titres seront effectuées par la Commission précitée conformément aux instructions que les Puissances enverront à leurs délégués.

(*d*) Le produit des ressources affectées au payement des bons sera versé mensuellement entre les mains de la Commission.

(*e*) Les ressources affectées à la garantie des bons sont énumérées ci-après:

1° Le reliquat des revenues de la Douane maritime Impériale après payement de l'intérêt et de l'amortissement des emprunts antérieurs gagés sur ces revenus, augmentés du produit de l'élévation à cinq pour cent effectifs du tarif actuel sur les importations maritimes, y compris les articles qui jusqu'à présent entraient en franchise, à l'exception du riz, des céréales et des farines de provenance étrangère, ainsi que de l'or et de l'argent monnayés ou non monnayés.

2° Les revenus des douanes indigénes, administrées dans les ports ouverts par la Douane maritime Impériale.

3° L'ensemble des revenue de la gabelle, sous réserve de la fraction affectée précédemment à d'autres emprunts étrangers.

L'élévation du tarif actuel sur les importations à cinq pour cent effectifs est consentie aux conditions ci-après.

La mise en vigueur de cette élévation commencera deux mois après la date de la signature du présent protocole, et il ne sera fait d'exception que pour les marchandises en cours de route au plus tard dix jours après cette date.

1° Tous les droits sur les importations, perçus "ad valorem," seront convertis en droits spécifiques autant qu'il sera possible de le faire et dans le plus bref délai. Cette conversion sera établie comme suit: On prendra comme base d'évaluation la valeur moyenne des marchandises

au moment de leur débarquement pendant les trois années 1897, 1898 et 1899, c'est-à-dire la valeur de marché déduction faite du montant des droits d'entrée et des frais accessoires. En attendant le résultat de cette conversion les droits seront perçus "ad valorem."

2°. Le cours du Peiho et celui du Whangpou seront améliorés avec la participation financière de la Chine.

Article VII.

Le Gouvernement chinois a accepté que le quartier occupé par les légations fût considéré comme un quartier spécialement réservé à leur usage et placé sous leur police exclusive, où les Chinois n'auraient pas le droit de résider, et qui pourrait être mis en état de défense.

Les limites de ce quartier ont été ainsi fixées sur le plan ci-joint (annexe No. 14):

à l'ouest, la ligne 1, 2, 3, 4, 5
au Nord, la ligne 5, 6, 7, 8, 9, 10
à l'Est, la rue Ketteler: 10, 11, 12
au Sud, la ligne 12–1,

tirée le long du pied extérieur de la muraille tartare en suivant les bastions.

Par le protocole annexé à la lettre du 16 Janvier 1901 la Chine a reconnue à chaque Puissance le droit d'entretenir une garde permanente dans le dit quartier pour la défense de sa légation.

Article VIII.

Le Gouvernement chinois a consenti à faire raser les forts de Takou et ceux qui pourraient empêcher les libres communications entre Pékin et la mer. Des dispositions ont été prises à cet effet.

Article IX.

Le Gouvernement chinois a reconnu aux Puissances par le Protocole annexé à la lettre du 16 Janvier 1901 le droit d'occuper certains points, à déterminer par un accord entre Elles, pour maintenir les communications libres entre la capitale et la mer. Les points occupés par les Puissances sont: Houang-ts'oun, Lang-fang, Yang-ts'oun, Tien-tsin, Kiun-leang-tch'eng, Tang-kou, Lou-tai, Tang-chan, Louan-tcheou, Tch'ang-li, Ts'in-wang-tao, Chan-hai-kouan.

Article X.

Le Gouvernement chinois s'est engagé à afficher et à publier pendant deux ans dans toutes les villes de district les Edits Impériaux suivants:

(*a*) Edit du Février 1901 (annexe No. 15) portant défense perpétuelle sous peine de mort de faire partie d'une société anti-étrangère.

(*b*) Edits des 13 et 25 Février, 29 Avril et 19 Août contenant l'énumération des peines qui ont été infligées aux coupables.

(*c*) Edit du 19 Août 1901 supprimant les examens dans toutes les villes où des étrangers ont été massacrés ou ont subi des traitements cruels.

(*d*) Edit du 1 Février 1901 (annexe No. 16) déclarant que tous les gouverneurs-généraux, gouverneurs et fonctionnaires provinciaux ou

locaux sont responsables de l'ordre dans leur circonscription et qu'en cas de nouveaux troubles anti-étrangers ou encore d'autres infractions aux traités qui n'auraient pas été immédiatement réprimés et dont les coupables n'auraient pas été punis, ces fonctionnaires seront immédiatement révoqués sans pouvoir être appelés à de nouvelles fonctions ni recevoir de nouveaux honneurs.

L'affichage de ces édits se poursuit progressivement dans tout l'Empire.

Article XI.

Le Gouvernement chinois s'est engagé à négocier les amendements jugés utiles par les Gouvernements étrangers aux traités de commerce et de navigation et les autres sujets touchant aux relations commerciales dans le but de les faciliter.

Dès maintenant et par suite des stipulations inscrites à l'article VI au sujet de l'indemnité, le Gouvernement chinois s'engage à concourir à l'amélioration du cours des rivières Pei'ho et Whangpou comme il est dit ci-dessous.

(*a*) Les travaux d'amélioration de la navigabilité du Peiho, commencés en 1898 avec la coopération du Gouvernement chinois, ont été repris sous la direction d'une Commission internationale. Aussitôt après que l'administration de Tien tsin aura été remise au Gouvernement chinois, celui-ci pourra se faire représenter dans cette commission et versera chaque année une somme de soixante mille Haikouan taels pour l'entretien des travaux.

(*b*) Il est créé un Conseil fluvial chargé de la direction et du contrôle des travaux de rectification du Whangpou et d'amélioration du cours de cette rivière.

Ce Conseil est composé de membres représentant les intérêts du Gouvernement chinois et ceux des étrangers dans le commerce maritime de Shanghai. Les frais nécessités par les travaux et l'administration générale de l'entreprise sont évalués à la somme annuelle de quatre cent soixante mille Haikouan taels pendant les vingt premières années. Cette somme sera fournie par moitiés par le Gouvernement chinois et par les intéressés étrangers. Le détail des stipulations se rapportant à la composition, aux attributions et aux revenus du Conseil fluvial fait l'objet de l'annexe (annexe No. 17).

Article XII.

Un Edit Impérial du 24 juillet 1901 (annexe No. 18), a réformé l'Office des affaires étrangères (Tsong-li Yamen), dans le sens indiqué par les Puissances, c'est-à-dire l'a transformé en un Ministère des affaires etrangères (Wai-wou pou), qui prend rang avant les six autres Ministères d'Etat; le même édit a nommé les principaux membres de ce Ministère.

Un accord s'est établi également au sujet de la modification du cérémonial de Cour relatif à la réception des Représentants étrangers, et a fait l'objet de plusieurs notes des Plénipotentiaires chinois résumées dans un mémorandum ci-joint (annexe No. 19).

Enfin il est expressément entendu que, pour les déclarations susénoncées et les documents annexés émanant des Plénipotentiaires étrangers, le texte français fait seul foi.

Le Gouvernement chinois s'étant ainsi conformé, à la satisfaction des

Puissances, aux conditions énumérées dans la Note précitée du 22 décembre 1900, les Puissances ont accédé au désir de la Chine de voir cesser la situation créée par les désordres de l'été 1900. En conséquence les Plénipotentiaires étrangers sont autorisés à déclarer au nom de leurs Gouvernements que, à l'exception des gardes des légations mentionnées à l'article VII, les troupes internationales évacueront complètement la ville de Pékin le 17 septembre 1901 et, à l'exception des endroits mentionnés à l'article IX, se retireront de la province du Tcheli le 22 septembre.

Le présent Protocole final a été établi en douze exemplaires identiques et signés par tous les Plénipotentiaires des Pays Contractants. Un exemplaire sera remis à chacun des Plénipotentiaires étrangers et un exemplaire sera remis aux Plénipotentiaires chinois.

Pékin, le 7 septembre 1901.

A v Mumm
M. Czikann
Joostens
B J de Cologan
W. W. Rockhill
Beau
Ernest Satow.
Salvago Raggi
Jutaro Komura
F. M. Knobel
M. de Giers

Signatures et sceaux des Plénipotentiaires chinois.

[Translation.]

FINAL PROTOCOL.

The plenipotentiaries of Germany, His Excellency M. A. Mumm von Schwarzenstein; of Austria-Hungary, His Excellency M. M. Czikann von Wahlborn; of Belgium, His Excellency M. Joostens; of Spain, M. B. J. de Cologan; of the United States, His Excellency M. W. W. Rockhill; of France, His Excellency M. Paul Beau; of Great Britain, His Excellency Sir Ernest Satow; of Italy, Marquis Salvago Raggi; of Japan, His Excellency M. Jutaro Komura; of the Netherlands, His Excellency M. F. M. Knobel; of Russia, His Excellency M. M. de Giers; and of China, His Highness Yi-K'uang Prince Ching of the first rank, President of the Ministry of Foreign Affairs, and His Excellency Li Hung-chang, Earl of Su-i of the first rank, Tutor of the Heir Apparent, Grand Secretary of the Wen-hua Throne Hall, Minister of commerce, Superintendent of the northern trade, Governor-General of Chihli, have met for the purpose of declaring that China has complied to the satisfaction of the Powers with the conditions laid down in the note of the 22d of December, 1900, and which were accepted in their entirety by His Majesty the Emperor of China in a decree dated the 27th of December. (Annex No. 1.)

Article Ia.

By an Imperial Edict of the 9th of June last (Annex No. 2), Tsai Feng, Prince of Ch'ün, was appointed Ambassador of His Majesty the

Emperor of China, and directed in that capacity to convey to His Majesty the German Emperor the expression of the regrets of His Majesty the Emperor of China and of the Chinese Government for the assassination of His Excellency the late Baron von Ketteler, German minister.

Prince Ch'ün left Peking the 12th of July last to carry out the orders which had been given him.

ARTICLE I[b].

The Chinese Government has stated that it will erect on the spot of the assassination of His Excellency the late Baron von Ketteler a commemorative monument, worthy of the rank of the deceased, and bearing an inscription in the Latin, German, and Chinese languages, which shall express the regrets of His Majesty the Emperor of China for the murder committed.

Their Excellencies the Chinese Plenipotentiaries have informed His Excellency the German Plenipotentiary, in a letter dated the 22nd of July last (Annex No. 3) that an arch of the whole width of the street would be erected on the said spot, and that work on it was begun the 25th of June last.

ARTICLE II[a].

Imperial Edicts of the 13th and 21st of February, 1901 (Annexes Nos. 4, 5, and 6), inflicted the following punishments on the principal authors of the outrages and crimes committed against the foreign Governments and their nationals:

Tsai-I Prince Tuan and Tsai Lan Duke Fu-kuo were sentenced to be brought before the autumnal court of assize for execution, and it was agreed that if the Emperor saw fit to grant them their lives, they should be exiled to Turkestan and there imprisoned for life, without the possibility of commutation of these punishments.

Tsai Hsün Prince Chuang, Ying Nien, President of the Court of censors, and Chao Shu-Chiao, President of the Board of punishments, were condemned to commit suicide.

Yü Hsien, Governor of Shanhsi, Chi Hsiu, President of the Board of rites, and Hsü Cheng-yu, formerly senior vice-President of the Board of punishments, were condemned to death.

Posthumous degradation was inflicted on Kang Yi, assistant Grand Secretary, President of the Board of works, Hsü Tung, Grand Secretary, and Li Ping-heng, formerly Governor-General of Szu-ch'uan.

An Imperial Edict of February 13th, 1901 (Annex No. 7), rehabilitated the memories of Hsü Yung-yi, President of the Board of war, Li Shan, President of the Board of works, Hsü Ching-cheng, senior vice-President of the Board of works, Lien Yuan, vice-Chancellor of the Grand Council, and Yuan Chang, vice-President of the Court of sacrifices, who had been put to death for having protested against the outrageous breaches of international law of last year.

Prince Chuang committed suicide the 21st of February, 1901, Ying Nien and Chao Shu-chiao the 24th, Yü Hsien was executed the 22nd, Chi Hsiu and Hsü Cheng-yu on the 26th. Tung Fu-hsiang, General in Kan-su, has been deprived of his office by Imperial Edict of the 13th of February, 1901, pending the determination of the final punishment to be inflicted on him.

Imperial Edicts dated the 29th of April and 19th of August, 1901, have inflicted various punishments on the provincial officials convicted of the crimes and outrages of last summer.

ARTICLE II.[a]

An Imperial Edict promulgated the 19th of August, 1901 (Annex No. 8), ordered the suspension of official examinations for five years in all cities where foreigners were massacred or submitted to cruel treatment.

ARTICLE III.

So as to make honorable reparation for the assassination of Mr. Sugiyama, chancellor of the Japanese legation, His Majesty the Emperor of China by an Imperial Edict of the 18th of June, 1901 (Annex No. 9), appointed Na Tung, vice-President of the Board of revenue, to be his Envoy Extraordinary, and specially directed him to convey to His Majesty the Emperor of Japan the expression of the regrets of His Majesty the Emperor of China and of his Government at the assassination of the late Mr. Sugiyama.

ARTICLE IV.

The Chinese Government has agreed to erect an expiatory monument in each of the foreign or international cemeteries which were desecrated and in which the tombs were destroyed.

It has been agreed with the Representatives of the Powers that the legations interested shall settle the details for the erection of these monuments, China bearing all the expenses thereof, estimated at ten thousand taels for the cemeteries at Peking and within its neighborhood, and at five thousand taels for the cemeteries in the provinces. The amounts have been paid and the list of these cemeteries is enclosed herewith. (Annex No. 10.)

ARTICLE V.

China has agreed to prohibit the importation into its territory of arms and ammunition, as well as of materials exclusively used for the manufacture of arms and ammunition.

An Imperial Edict has been issued on the 25th of August, 1901 (Annex No. 11), forbidding said importation for a term of two years. New Edicts may be issued subsequently extending this by other successive terms of two years in case of necessity recognized by the Powers.

ARTICLE VI.

By an Imperial Edict dated the 29th of May, 1901 (Annex No. 12), His Majesty the Emperor of China agreed to pay the Powers an indemnity of four hundred and fifty millions of Haikwan Taels. This sum represents the total amount of the indemnities for States, companies or societies, private individuals, and Chinese referred to in Article VI of the note of December 22nd, 1900.

(*a*) These four hundred and fifty millions constitute a gold debt cal-

culated at the rate of the Haikwan tael to the gold currency of each country, as indicated below.

Haikwan tael=marks	3.055
=Austro-Hungary crown	3.595
=gold dollar	0.742
=francs	3.750
=pound sterling	3s. 0d.
=yen	1.407
=Netherlands florin	1.796
=gold rouble (17.424 dolias fine)	1.412

This sum in gold shall bear interest at 4 per cent per annum, and the capital shall be reimbursed by China in thirty-nine years in the manner indicated in the annexed plan of amortization. (Annex No. 13).

Capital and interest shall be payable in gold or at the rates of exchange corresponding to the dates at which the different payments fall due.

The amortization shall commence the 1st of January, 1902, and shall finish at the end of the year 1940. The amortizations are payable annually, the first payment being fixed on the 1st of January, 1903.

Interest shall run from the 1st of July, 1901, but the Chinese Government shall have the right to pay off within a term of three years, beginning January, 1902, the arrears of the first six months, ending the 31st of December, 1901, on condition, however, that it pays compound nterest at the rate of 4 per cent per annum on the sums the payments of which shall have thus been deferred. Interest shall be payable semiannually, the first payment being fixed on the 1st of July, 1902.

(*b*) The service of the debt shall take place in Shanghai, in the following manner:

Each Power shall be represented by a delegate on a commission of bankers authorized to receive the amount of interest and amortization which shall be paid to it by the Chinese authorities designated for that purpose, to divide it among the interested parties, and to give a receipt for the same.

(*c*) The Chinese Government shall deliver to the Doyen of the Diplomatic Corps at Peking a bond for the lump sum, which shall subsequently be converted into fractional bonds bearing the signatures of the delegates of the Chinese Government designated for that purpose. This operation and all those relating to issuing of the bonds shall be performed by the above-mentioned Commission, in accordance with the instructions which the Powers shall send their delegates.

(*d*) The proceeds of the revenues assigned to the payment of the bonds shall be paid monthly to the Commission.

(*e*) The revenues assigned as security for the bonds are the following:

1. The balance of the revenues of the Imperial maritime Customs after payment of the interest and amortization of preceding loans secured on these revenues, plus the proceeds of the raising to five per cent effective of the present tariff on maritime imports, including articles until now on the free list, but exempting foreign rice, cereals, and flour, gold and silver bullion and coin.

2. The revenues of the native customs, administered in the open ports by the Imperial maritime Customs.

3. The total revenues of the salt gabelle, exclusive of the fraction previously set aside for other foreign loans.

The raising of the present tariff on imports to five per cent effective is agreed to on the conditions mentioned below.

It shall be put in force two months after the signing of the present protocol, and no exceptions shall be made except for merchandise shipped not more than ten days after the said signing.

1°. All duties levied on imports "ad valorem" shall be converted as far as possible and as soon as may be into specific duties. This conversion shall be made in the following manner: The average value of merchandise at the time of their landing during the three years 1897, 1898, and 1899, that is to say, the market price less the amount of import duties and incidental expenses, shall be taken as the basis for the valuation of merchandise. Pending the result of the work of conversion, duties shall be levied "ad valorem."

2°. The beds of the rivers Peiho and Whangpu shall be improved with the financial participation of China.

Article VII.

The Chinese Government has agreed that the quarter occupied by the legations shall be considered as one specially reserved for their use and placed under their exclusive control, in which Chinese shall not have the right to reside and which may be made defensible.

The limits of this quarter have been fixed as follows on the annexed plan (Annex No. 14):

On the west, the line 1, 2, 3, 4, 5.

On the north, the line 5, 6, 7, 8, 9, 10.

On the east, Ketteler street (10, 11, 12).

Drawn along the exterior base of the Tartar wall and following the line of the bastions, on the south the line 12.1.

In the protocol annexed to the letter of the 16th of January, 1901, China recognized the right of each Power to maintain a permanent guard in the said quarter for the defense of its legation.

Article VIII.

The Chinese Government has consented to raze the forts of Taku and those which might impede free communication between Peking and the sea; steps have been taken for carrying this out.

Article IX.

The Chinese Government has conceded the right to the Powers in the protocol annexed to the letter of the 16th of January, 1901, to occupy certain points, to be determined by an agreement between them, for the maintenance of open communication between the capital and the sea. The points occupied by the powers are:

Huang-tsun, Lang-fang, Yang-tsun, Tientsin, Chun-liang Ch'eng, Tang-ku, Lu-tai, Tang-shan, Lan-chou, Chang-li, Ch'in-wang tao, Shan-hai kuan.

Article X.

The Chinese Government has agreed to post and to have published during two years in all district cities the following Imperial edicts:

(*a*) Edict of the 1st of February (Annex No. 15), prohibiting forever, under pain of death, membership in any antiforeign society.

(*b*) Edicts of the 13th and 21st February, 29th April, and 19th August, enumerating the punishments inflicted on the guilty.

(*c*) Edict of the 19th August, 1901, prohibiting examinations in all cities where foreigners were massacred or subjected to cruel treatment.

(*d*) Edict of the 1st of February, 1901 (Annex No. 16), declaring all governors-general, governors, and provincial or local officials responsible for order in their respective districts, and that in case of new antiforeign troubles or other infractions of the treaties which shall not be immediately repressed and the authors of which shall not have been punished, these officials shall be immediately dismissed, without possibility of being given new functions or new honors.

The posting of these edicts is being carried on throughout the Empire.

Article XI.

The Chinese Government has agreed to negotiate the amendments deemed necessary by the foreign Governments to the treaties of commerce and navigation and the other subjects concerning commercial relations, with the object of facilitating them.

At present, and as a result of the stipulation contained in Article VI concerning the indemnity, the Chinese Government agrees to assist in the improvement of the courses of the rivers Peiho and Whangpu, as stated below.

(*a*) The works for the improvement of the navigability of the Peiho, begun in 1898 with the cooperation of the Chinese Government, have been resumed under the direction of an international Commission. As soon as the administration of Tientsin shall have been handed back to the Chinese Government, it will be in a position to be represented on this commission, and will pay each year a sum of sixty thousand Haikwan taels for maintaining the works.

(*b*) A conservancy Board, charged with the management and control of the works for straightening the Whangpu and the improvement of the course of that river, is hereby created.

This Board shall consist of members representing the interests of the Chinese Government and those of foreigners in the shipping trade of Shanghai. The expenses incurred for the works and the general management of the undertaking are estimated at the annual sum of four hundred and sixty thousand Haikwan taels for the first twenty years. This sum shall be supplied in equal portions by the Chinese Government and the foreign interests concerned. Detailed stipulations concerning the composition, duties, and revenues of the conservancy board are embodied in annex No. 17.

Article XII.

An Imperial Edict of the 24th of July, 1901 (annex No. 18), reformed the Office of foreign affairs, (Tsungli Yamen), on the lines indicated by the Powers, that is to say, transformed it into a Ministry of foreign affairs (Wai-wu Pu), which takes precedence over the six other Ministries of State. The same edict appointed the principal members of this Ministry.

An agreement has also been reached concerning the modification of Court ceremonial as regards the reception of foreign Representatives and has been the subject of several notes from the Chinese Plenipotentiaries, the substance of which is embodied in a memorandum herewith annexed (annex No. 19).

Finally, it is expressly understood that as regards the declarations specified above and the annexed documents originating with the foreign Plenipotentiaries, the French text only is authoritative.

The Chinese Government having thus complied to the satisfaction of the Powers with the conditions laid down in the above-mentioned note of December 22nd, 1900, the Powers have agreed to accede to the wish of China to terminate the situation created by the disorders of the summer of 1900. In consequence thereof the foreign Plenipotentiaries are authorized to declare in the names of their Governments that, with the exception of the legation guards mentioned in Article VII, the international troops will completely evacuate the city of Peking on the 17th September, 1901, and, with the exception of the localities mentioned in Article IX, will withdraw from the province of Chihli on the 22d of September.

The present final Protocol has been drawn up in twelve identic copies and signed by all the Plenipotentiaries of the Contracting Countries. One copy shall be given to each of the foreign Plenipotentiaries, and one copy shall be given to the Chinese Plenipotentiaries.

Peking, 7th September, 1901.

A. v. MUMM.
M. CZIKANN.
JOOSTENS.
B. J. DE COLOGAN.
W. W. ROCKHILL.
BEAU.
ERNEST SATOW.
SALVAGO RAGGI.
JUTARO KOMURA.
F. M. KNOBEL.
M. DE GIERS.

{Signatures and seals of Chinese plenipotentiaries.}

[Translation.]

ANNEXES TO THE FINAL PROTOCOL.

No. 1. Imperial Edict of 27 December, 1900.
2. Imperial Edict of 9 June, 1901.
3. Letter of the Chinese plenipotentiaries of 22 July, 1901.
4. Imperial Edict of 13 February, 1901.
5. Imperial Edict of 13 February, 1901.
6. Imperial Edict of 21 February, 1901.
7. Imperial Edict of 13 February, 1901.
8. Imperial Edict of 19 August, 1901.
9. Imperial Edict of 18 June, 1901.
10. List of desecrated cemeteries.
11. Imperial Edict of 25 August, 1901.
12. Imperial Edict of 29 May, 1901.
13. Table of amortization.
14. Plan of the diplomatic quarter and notice.
15. Imperial Edict of 1st February, 1901.
16. Imperial Edict of 1st February, 1901.
17. Regulations for the improvement of the Whangpu.
18. Imperial Edict of 24 July, 1901.
19. Memorandum concerning court ceremonial.

ANNEX No. 1.

IMPERIAL EDICT of the 27th December, 1900 (translation).

[Seal of the Emperor.]

The 6th day of the 11th moon of the 26th year of Kuang-hsü (27 December, 1900), the following Edict was rendered:

"We have taken cognizance of the whole telegram of Yi-K'uang and Li Hung-chang. It is proper that We accept in their entirety the twelve articles which they have submitted to us."

Respect this!

Correct copy.

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

ANNEX No. 2.

IMPERIAL EDICT of the 9th of June, 1901 (translation).

"We confer on Tsai Feng, Prince Ch'ün of the first rank, the title of Ambassador extraordinary, and We direct him to proceed to Germany to respectfully discharge the mission which We confide to him.

"Chang Yi, reader of the Grand Chancellery, and Yin Ch'ang, military Lieutenant-Governor, shall accompany him as secretaries.

"Respect this!"

Correct copy.

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

ANNEX No. 3.

Despatch of Prince Ching and of Li Hung-chang of the 22 July, 1901, to His Excellency M. de Mumm, German Plenipotentiary (Translation.)

Official reply.

On the 3d day of the 5th moon of the present year (18th of June, 1901), We have received from Your Excellency the following official communication:

"Messrs. Jui-liang, secretary, and Lien-fang, expectant taotai, delegates entrusted with carrying out Article I of the Joint Note providing for the erection of a commemorative monument on the place of the assassination of Baron von Ketteler, former Minister of Germany, commenced some time ago the discussion of the subject with my Legation, and have taken up the question of the plan of this monument.

"During frequent conversations they have stated that if it were necessary that a commemorative arch in marble, from Ta-li and extending the whole width of the avenue of Ch'ung-wen-men, should be erected on the spot of the assassination, the work would require a great deal of time, in view of the difficulty in transporting the mate-

rials; but as to adopting some other means, either of transferring to the place of the assassination an archway erected at the present time in some other spot, or of putting up a new arch, or of using an old archway to be transported to the place, they left this to the determination of my Government.

"I at once telegraphed my Government to inform me of its views.

"The reply which I have just received informs me that His Majesty the Emperor of Germany has himself decided that a new archway extending across the whole width of the street should be put up.

"I have consequently to urgently request you to take immediate steps, so that the work may begin at once."

We, Prince and Minister, have at once directed the said secretary and taotai to act in conformity. According to the report which they have sent us, "the work was begun on the 10th day of the 5th moon (25th of June) by the foundations. But a certain length of time is necessary for getting out the stone, cutting it and for the transportation of materials; and the only thing that can be done is to watch that the workmen use their best endeavors to carry on promptly the work."

Besides having directed that We should be kept informed of the execution of the work, We deem it necessary to send the present official reply to Your Excellency, requesting you to take note of it.

Correct copy.

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

ANNEX No. 4.

IMPERIAL EDICT of the 13th of February, 1901 (Translation).

Since the 5th moon (end of May) the Boxers have created trouble in the capital and have begun hostilities against friendly countries. Yi-K'uang and Li Hung-chang are negotiating for peace at Peking with Representatives of the Powers, and a whole preliminary arrangement has already been signed.

(If) We consider the commencement of these events, we find that they are attributable to several stupid Princes and Ministers, insane, absolutely ignorant, turbulent, and who have ignored the laws. They had most absolute confidence in pernicious methods and have led on the Court. Not only did they refuse to obey Our orders to exterminate the Boxers, but they have been so far as to believe in them, and, stupidly, they began to attack (the Legations). So it was that this evil fire spread abroad, and circumstances did not permit of its being stopped, several tens of thousands of evil-doers having assembled at the elbow and the armpit (that is to say, at the most important points). Furthermore, the leaders forced generals and ignorant soldiers to attack the Legations, and so it befell that inconceivable evils persisted for several months.

The tutelary deities of the Empire have been in danger, the Imperial tombs and the temples of Ancestors have trembled, the country has been devastated; the inhabitants are plunged in misery. No words

can express the dangers which We and H. M. the Empress Dowager have been exposed to. Our heart and Our head are still painful; Our tears and Our resentment are confounded. It is to you, Princes and Ministers, who, by believing in evil words and allowing evil-doers free hand, have put in danger in Heaven our Ancestors and Our gods, and who here below have caused the people to endure these calamities. Do you ask what punishments you deserve?

We have already issued two decrees. But, considering that such light punishments for such grievous faults could not be sufficient to make you expiate your crimes, We must impose upon you new and more severe punishments according to your degree of guilt.

TSAI-HSÜN, PRINCE CHUANG, already degraded, allowed the Boxers to attack the Legations. He, on his own authority, published proclamations contrary to the treaties; he lightly believed the statements of evil-doers; he unlawfully caused to be decapitated a great number of persons; he has shown himself, of a truth, vulgar and stupid. We invite him, as a favor, to commit suicide. We direct Ko-pao-hua, acting president of the Court of Censors, to go and see (that the suicide has taken place).

TSAI-I, PRINCE TUAN, already degraded, led away with him several Princes and Peilo (Princes of the 3d class). He foolishly gave heed to the Boxers and stupidly advised fighting. So all these troubles broke out; his faults, of a truth, can not be ignored. TSAI-LAN, DUKE FU-KUO, reduced in rank, in concert with TSAI-HSÜN, foolishly published proclamations contrary to the treaties. He should also be punished for his faults. We deprive them of their nobiliary titles, but, considering that they belong to our family, we order, by special act of grace, that they be sent to Hsin-chiang (Ili) where they shall be condemned to prison for life. Deputies shall be at first sent to watch them.

YÜ-HSIEN, degraded governor, foolishly believed, when formerly discharging the duties of governor in Shantung, in the charms of the Boxers. Arriving in Peking, he extolled them so highly that several Princes and Ministers fell under his evil influence. Being governor of Shansi, he massacred a great number of missionaries and Christians. He is worse than an imbecile, than a fool, than a murderer; he is the chief culprit and the author of all these calamities. He has already been sent to Hsin-chiang, and, believing that he has arrived in Kan-su, We order that, on the receipt of the order which We send, he shall be at once beheaded. We direct the Provincial Judge Ho Fu-kun to see that the penalty is carried out.

KANG-YI, Assistant Grand Secretary of State, President of the Board of Works, having lent his aid to the Boxers, serious disturbances broke out. He aided in publishing proclamations contrary to the treaties. A severe punishment was to have been inflicted on him at first, but he has died of disease. We order that the honors which he previously held shall be withdrawn from him and that he be at once degraded.

TUNG FU-HSIANG, general in Kan-su, degraded but retained in office, entered (Peking) to defend (the city) with the troops under his orders; he was unable to maintain strict discipline. Ignorant, furthermore, of international questions, he followed his ideas and acted in an inconsiderate manner. Although the attacks on the Legations were ordered him by the above degraded Princes, it is nevertheless difficult to absolve him of all faults. We intended in the first instance to have punished

him severely, but, considering the signal services he has rendered in Kan-su and the sympathy felt for him by Mussulman and Chinese, as an act of extraordinary grace, We order that he shall be immediately degraded.

YING-NIEN, President of the Court of Censors, reduced in rank and displaced, opposed TSAI-HSÜN publishing on his own authority proclamations contrary to the treaties. We may make due allowance for this circumstance, but as he was not able to overcome (this resistance) by force, it is, after all, difficult to absolve him. We order, as a mark of great benevolence, that he be degraded. We condemn him to death, and he shall await in prison that his case be passed on.

CHAO SHU-CHIAO, President of the Board of Punishments, degraded and retained in office, had never shown till then any unfriendly feeling in relations with the Foreign Powers. Having made a report on the Boxers, he said nothing in their favor, but through his negligence faults were made. We order, as a special act of grace, that he be degraded. We condemn him to death, and he will await in prison that his case be passed on.

We command that YING-NIEN and CHAO SHU-CHIAO be in the first place confined in the prison of the capital of Shensi.

HSU TUNG, Grand Secretary of State, and LI PING-HENG, former Governor-General of Sze-chuan, reduced in rank and displaced, died for their country, but everyone knows their faults. We order that they be degraded, and We deprive them of the posthumous honors which We had conferred on them.

After the promulgation of this decree all our friendly nations should recognize that the events caused by the Boxers are in truth only attributable to the principal authors of trouble and in no wise to the wishes of the Court.

We, the Emperor, not lightly punishing several of the principal authors of trouble, the officials and the people of the Empire will understand at once that the consequences of such acts are most serious.

Respect this!"

Correct copy.

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

ANNEX NO. 5.

IMPERIAL EDICT of the 13 February, 1901. (*Translation.*)

CH'I-HSIU, president of the Board of Rites, and HSÜ CHENG-YU, formerly senior Vice-President of the Board of Punishments, are in the first place to be degraded.

We order Yi K'uang and Li Hung-chang to obtain exact proof of their guilt and to send Us at once a report. They shall be punished with the greatest severity.

Respect this!"

Correct copy.

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

ANNEX No. 6.

IMPERIAL EDICT of the 21 February, 1901 (Translation).

Edict published and sent telegraphically the 3rd day of the 1st moon (21 February, 1901), and received on the 4th by the Grand Chancellery.

"By a former Edict We had already severely punished, according to the several cases, all the high officials, the principal authors of the present misfortunes. But We received some time ago a telegraphic report from Yi-K'uang and Li Hung-chang telling Us that, according to an official despatch from the Ministers Plenipotentiary of the various Powers, new and severer punishments were necessary, and begging Us to take action.

"Besides TSAI-HSÜN, who has been ordered to commit suicide, and YÜ-HSIEN, against whom has been pronounced the penalty of immediate decapitation, and for each of whom deputies have been ordered to go see that (the sentences have been carried out), We decide that the penalty to be inflicted on TSAI-YI (Prince Tuan) and TSAI-LAN (Duke Lan) is decapitation with reprieve; nevertheless, in view of the relationship in which they stand to Us, We show them the special act of grace of sending them to the frontier of the Empire, in Turkestan, where they shall be imprisoned for life. A deputy to take them under escort shall be designated, and shall leave at once.

"As to KANG-YI, whose crimes were greater, the penalty should have been immediate decapitation, but as he has already died of disease, as an act of grace, he shall be spared further inquiry into his case.

"As regards YING-NIEN and CHAO SHU-CHIAO, whose punishments, according to Our former decisions, were to have been decapitation with reprieve, We command that they be requested to commit suicide, and We direct Ch'en Ch'un-huan, Governor of Shan-si, to go and verify (their deaths).

"As to CH'I-HSIU and HSÜ CHENG-YU, whom the Powers designate as the most ardent protectors of the Boxer bandits, and as having most particularly done harm to foreigners, We had previously ordered their degradation; We (now) order Yi-K'uang and Li Hung-chang to ask the Powers, by despatch, for their surrender, and to have them executed at once. One of the Presidents of the Board of Punishments shall be directed to verify (their execution).

"As to HSÜ TUNG, who compromised the great general interests by putting his confidence in the Boxers, and LI PING-HENG, whose bragging ways directly brought about these misfortunes, the punishment which should have been theirs was decapitation with reprieve; but taking into consideration the fact that they committed suicide when they saw the disaster coming, and that they have already been degraded, and that the posthumous honors which had been granted them have been annulled and withdrawn, it is needless to take up their cases.

"The nature of the crimes committed by all the principal authors of the wrong has been set forth in a clear and detailed way in previous decrees.

Respect this!"

Correct copy.

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

ANNEX No. 7.

IMPERIAL EDICT of the 13th February, 1901 (Translation).

"The trouble brought about by the Boxers during the 5th moon (May–June) having spread from day to day, the Court had two difficult methods to adopt—to take coercitive measures or to pacify them. In the hope that a line of conduct would be shown Us the Ministers were several times called in audience.

"We have repeatedly questioned HSÜ YUNG-YI, President of the Board of War, LI-SHAN, President of the Board of Finance, HSÜ CHING-CHENG, senior vice-President of the Board of Works, LIEN-YUAN, vice Chancellor of the Grand Council, YUAN-CHANG, vice-President of the Court of Sacrificial Worship.

"In their speech and in their mind all admitted that the two methods were possible. Several Ministers, instigators of trouble, availing themselves of this fact, unjustly accused them, handed in memorials in which they denounced them. So it came about that they were severely punished in their persons.

"But considering that Hsü Yung-yi and the others showed great zeal for many years and have always had charge of international questions, that they may have been faithful, and that they had shown themselves industrious, We should grant them a favor.

"We command that LI-SHAN, HSÜ YUNG-YI, HSÜ CING-CHENG, LIEN-YUAN, and YUAN-CHANG be restored to their former honors.

"Let the ministry concerned be informed.

"Respect this!".

Correct copy.

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

ANNEX No. 8.

IMPERIAL EDICT of the 19th August, 1901 (Translation).

Edict received by the Grand Chancellery the 6th day of the 7th moon of the 27th year Kuang-hsü (19 August, 1901).

"Considering the report of this day by which Yi-K'uang and Li Hung-chang inform Us that the foreign Powers have decided on the suspension during five years of civil and military examinations in the localities where troubles have taken place;

"Considering that it is declared that this suspension shall remain applicable to the local examinations for licentiates of Shun-t'ien and of T'ai-yuan;

"Considering the list comprising the localities of—

"Province of Shan-si: T'ai-yuan Fu, Hsin-chou, Tai-ku Hsien, Ta-t'ung Fu, Fen-chou Fu, Hsiao-i Hsien, Ch'u-wo Hsien, Ta-ning Hsien, Ho-ching Hsien, Yueh-yang Hsien, So-p'ing Fu, Wen-shui Hsien, Shuo-yang Hsien, P'ing-yang Fu, Ch'ang-tzu Hsien, Kao-p'ing Hsien, Tse-chou Fu, Hsi Chou, P'u Hsien, Chiang-chou, Kuei-hua Ch'eng, Sui-yuan ch'eng;

"Province of Ho-nan; Nan-yang Fu, Kuang-chou;
"Province of Che-chiang: Ch'ü-chou Fu;
"Province of Chih-li; Pei-ching, Shun-t'ien Fu, Pao-ting Fu, Yung-ching Hsien, T'ien-ching Fu, Shun-tê Fu, Wang-tu Hsien, Huai-lu Hsien, Hsin-ngan Hsien, T'ung-chou, Wu-i Hsien, Ching-chou, Luan-ping Hsien:
"Three provinces of Manchuria: Sheng-ching (=Mukden), Chia-tzŭ-ch'ang, Lien-shan, Yu-ch'ing-chieh, Pei-lin-tzŭ, Hu-lan Ch'eng;
"Province of Shen-si: Ning-chiang Chou;
"Province of Hu-nan: Heng-chou Fu;
"We command that in all these localities civil and military examinations shall be suspended during a period of five years, and We order all governors-general, governors, and examiners of the aforesaid provinces, to act in conformity and to publish proclamations."
"Respect this!"

Correct copy.

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

ANNEX No. 9.

IMPERIAL EDICT of 18th of June, 1901 (Translation).

Edict received by telegraph from Hsi-an-Fu the 3d day of the 5th moon (18th of June, 1901):
We confer on NA-TUNG, second Vice-President of the Board of Finances, the official button of the first rank, and we designate him as special Envoy to go to Japan and to there respectfully discharge the mission We entrust to him.
Respect this!

Correct copy.

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

ANNEX No. 10.

List of cemeteries situated in the neighborhood of Peking and which have been desecrated.

British cemetery	One
French cemeteries	Five
Russian cemetery	One
Total	Seven

Correct copy.

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

ANNEX No. 11.

IMPERIAL EDICT of the 25th of August, 1901 (Translation).

We command all Tartar Generals, Governors general, and Governors of provinces, as well as the Customs taotais, to forbid, in the first place for a period of two years, the importation of implements of war as well as of material serving exclusively in their manufacture and of foreign origin.

Inform the ministry concerned.

Respect this!

Correct copy.

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

ANNEX No. 12.

Despatch of Prince Ch'ing and Li Hung-chang to M. de Cologan, Minister of Spain, Doyen of the Diplomatic Body (29 May, 1901) (Translation).

The 12th day of the 4th moon of the 27th year of Kuang-hsü (29th May, 1901).

Official Reply.

The 7th day of the 4th moon of the present year (24 May, 1901,) we received from Your Excellency the following official despatch:

"I have the honor to acknowledge to Your Highness and Your Excellency receipt of the letter which you were pleased to send me in reply to my communication dated May 7th concerning the indemnities. In the letter to which Your Highness and Your Excellency have just replied we informed you that the approximate figure of the expenses incurred and of the losses sustained by the Powers amounted to the sum of 450 millions of taels, calculated to the 1st of July of the current year.

"In reply to this communication Your Highness and Your Excellency have informed me that the Chinese Government proposed to pay off this sum to the powers by monthly payments of 1,250,000 taels during 30 years.

"The Representatives of the Powers have not failed to transmit this proposal to their Governments. But they must call the attention of Your Highness and Your Excellency to the fact that the total of the payments proposed by the Chinese Government only represents the capital of the sum mentioned, without the question of interest having been taken account of.

"I consequently beg Your Highness and Your Excellency to be so kind as to inform us as soon as possible of the intention of the Chinese Government in this respect."

In considering in a previous despatch the question of indemnities, we explained to Your Excellency the penury of the Chinese treasury.

In your last communication Your Excellency is pleased to call our attention to the fact that the annual payments of fifteen millions of

taels which we proposed only represent the capital, and you now call our attention to the question of interest.

As we, on our side, had already considered that besides the capital there also had to be taken into consideration the question of annual interest at 4 per cent, we had already, by telegram, submitted to the Throne proposals on this subject, and in reply we have received an Imperial Edict, stating that "the figure of four hundred and fifty millions of indemnities to be paid the Powers, with interest at 4 per cent, is approved," and we are commanded to take the necessary measures to carry out this decision.

We have, therefore, only to comply with the orders of the Throne.

Nevertheless this obliges us to recall to Your Excellency that the financial resources of China are so restricted that nothing more can be taken from them possibly beyond the fifteen millions of taels which we have already proposed to Your Excellency to devote specially to the payment of indemnities, but as this sum must not only furnish payment of the capital, but also that of interest, we have no other alternative to propose than to prolong the term of payments, which we had in the first place fixed at 30 years, in such a way that the instalments paid during the first period of this term thus extended shall be considered as destined to extinguish the capital, while those made during the second period shall be applied to liquidating the interest account, after which all payments would cease through the extinction of the debt. The Imperial Maritime Customs, already entrusted as we suggested, with the payments of the capital, would likewise be entrusted with the payments on account of interest. As to the amount of the annual interest, it would be understood that it would decrease proportionately every year, according to the progressive reduction of the capital.

We have the honor to request Your Excellency to kindly inform us what you think of the plan we suggest above to pay off both capital and interest, or if in your opinion it would not be better to consider a portion of the fifteen millions paid annually as an instalment on the capital to be paid off, and the balance as an instalment on the interest. These details require a careful examination, and demand a previous and full understanding between the parties.

China having thus shown its good will in assenting to the demands of the Powers on the question of the indemnity, and in taking all the necessary steps to insure an integral payment of it, we hope to have soon the satisfaction of learning that the Powers are in a position to fix an early date for the evacuation.

We have the honor to request Your Excellency to kindly communicate the above to the Representatives of the Powers.

Correct copy.

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

ANNEX No. 13.

PLAN OF AMORTIZATION.

Years.	Series A. Tls. 75,000,000. Extinguished in 1940 by means of a yearly amortization of 1.106 per cent in 39 years, beginning in 1902.	Series B. Tls. 60,000,000. Extinguished in 1940 by means of a yearly amortization of 1.783 per cent in 30 years, beginning in 1911.	Series C. Tls.150,000,000. Extinguished in 1940 by means of a yearly amortization of 2.256 per cent in 26 years, beginning in 1915.	Series D. Tls. 50,000,000. Extinguished in 1940 by means of a yearly amortization of 2.401 per cent in 25 years, beginning in 1916.	Series E. Tls.115,000,000. Extinguished in 1940 by means of a yearly amortization of 9.449 per cent in 9 years, beginning in 1932.	Amount of sums due on Series A, B, C, D, E.	Annuities of the existing debt guaranteed by the M. I. customs and likin taxes.	Aggregate amount of the foreign debt.
	Tls.	*Tls.*	*Tls.*	*Tls.*	*Tls.*	*Tls.*	*Tls.*	*Tls.*
1902	Int. & am ...3,829,500	Int 2,400,000	Int 6,000,000	Int 2,000,000	Int 4,600,000	18,829,500	23,600,000	42,429,500
1903	" "	" "	" "	" "	" "	"	23,300,000	42,129,500
1904	" "	" "	" "	" "	" "	"	23,300,000	42,129,500
1905	"	" "	" "	" "	" "	"	24,100,000	42,929,500
1906	" "	" "	" "	" "	" "	"	23,900,000	42,729,500
1907	" "	" "	" "	" "	" "	"	23,700,000	42,529,500
1908	" "	" "	" "	" "	" "	"	23,400,000	42,229,500
1909	" "	" "	" "	" "	" "	"	23,400,000	42,229,500
1910	" "	" "	" "	" "	" "	"	23,200,000	42,029,500
1911	"	Int. & am ...3,469,800	" "	" "	" "	19,899,300	22,800,000	42,699,300
1912	"	" "	" "	" "	" "	"	22,600,000	42,499,300
1913	"	" "	" "	" "	" "	"	22,400,000	42,299,300
1914	" "	" "	" "	" "	" "	"	22,100,000	41,999,300
1915	"	" "	Int. & am ...9,384,000	" "	" "	23,283,300	19,400,000	42,683,300
1916	" "	" "	" "	Int. & am ...3,200,500	" "	24,483,800	18,500,000	42,983,800
1917	" "	" "	" "	" "	" "	"	18,500,000	42,983,800
1918	" "	" "	" "	" "	" "		18,500,000	42,983,800
1919	" "	" "	" "	" "	" "	"	18,500,000	42,983,800
1920	"	" "	" "	" "	" "	"	18,500,000	42,983,800
1921	"	" "	" "	" "	" "	"	18,500,000	42,983,800
1922	" "	" "	" "	" "	" "	"	18,500,000	42,983,800
1923	" "	" "	" "	" "	" "	"	18,500,000	42,983,800
1924	" "	" "	" "	" "	" "	"	18,500,000	42,983,800
1925	" "	" "	" "	" "	" "	"	18,500,000	42,983,800
1926	" "	" "	" "	" "	" "	"	18,500,000	42,983,800
1927	" "	" "	" "	" "	" "	"	18,500,000	42,983,800
1928	" "	" "	" "	" "	" "	"	18,500,000	42,983,800
1929	" "	" "	" "	" "	" "	"	18,500,000	42,983,800
1930	" "	" "	" "	" "	" "	"	18,500,000	42,983,800
1931	" "	" "	" "	" "	" "	"	18,400,000	42,883,100
1932	" "	" "	" "	" "	Int. & am ..15,466,350	35,350,150	7,500,000	42,850,150
1933	" "	" "	" "	" "	" "	"	6,300,000	41,650,150
1934	" "	" "	" "	" "	" "	"	5,900,000	41,250,150
1935	" "	" "	" "	" "	" "	"	5,900,000	41,250,150
1936	" "	" "	" "	" "	" "	"	5,900,000	41,250,150

1937.....	"	"	"	"	"	"	"	"	"	"	5,900,000	41,250,150
1938.....	"	"	"	"	"	"	"	"	"	"	5,900,000	41,250,150
1939.....	"	"	"	"	"	"	"	"	"	"	5,900,000	41,250,150
1940.....	"	"	"	"	"	"	"	"	"	"	5,900,000	41,250,150
	4.18433 of the whole amount of tls. 450,000,000 from the year 1902.		4.23773, or, inclusive of the foregoing rate, 4.42206 of the whole amount of tls. 450,000,000 from the year 1911.		4.752000, or, inclusive of the foregoing rate, 5.17406 of the whole amount of tls. 450,000,000 from the year 1915.		4.26677, or inclusive of the foregoing rate, 5.44083 of the whole amount of tls. 450,000,000 from the year 1916.		6.41477, or, inclusive of the foregoing rate, 7.85560 of the whole amount of tls. 450,000,000 from the year 1932.	Aggregate amount to be paid, tls. 982,238,150.		

Correct copy.

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

ANNEX No. 14.

Description of the boundaries of the Legation quarter at Peking.

Point 1 is situated on the south wall of the Tartar City an hundred feet to the east of the east side of the superstructure of the CH'IEN MEN. From this point the boundary runs for a distance of two hundred and sixteen feet, following a line nearly due north, as far as

Point 2, southeast corner of the balustrade in white stone which encloses the open paved space before the principal entrance of the Imperial City.

From this point the boundary runs for a length of three hundred and ten feet along the east side of this balustrade, nearly directly north until

Point 3, situated on the north side of the road which forms a continuation of Legation street, and is at the intersection of the boundary line coming from *2* and of a line drawn along the continuation of the north side of the Legation street.

From this point the line runs for a length of six hundred and forty-one feet and a half (measured around and in the angles of the wall) along the north side of Legation street as far as

Point 4, at one hundred and forty-six to the west of the corner (southwest) of Gaselee road, measured along the north of Legation street.

From this point the boundary runs for a length of two thousand one hundred and fifty-two feet (measured around and in the angles of the buildings) in a general northerly direction, but following the line of the buildings now existing and, in the open spaces between the buildings, a line parallel to the general line of the buildings on the left side of Gaselee road and at one hundred and fifty-seven feet on the west side of the west side of the gate which leads from Gaselee road to the exterior court of the Imperial City, as far as

Point 5, on the south side of the south wall of the interior court of the Imperial City, and at one hundred and fifty-seven feet from the west side of the gate at the end of Gaselee road.

From this point the line runs for a distance of one thousand two hundred and eighty-eight feet nearly directly toward the east, along the wall as far as

Point 6, southeast corner of the exterior court of the Imperial City.

From there the line runs nearly directly north along the wall for a distance of two hundred and eighteen feet measured in a straight line to

Point 7, northeast corner of the exterior court.

From there the line runs nearly due east for a distance of six hundred and eighty-one feet to

Point 8, southeast corner of the wall of the Imperial City.

From there the boundary runs nearly due north for a distance of sixty-five feet along the wall to

Point 9, at sixty-five feet from the southeast corner of the wall of the Imperial City.

From there the boundary runs direct due east for a distance of three thousand and ten feet to

Point 10, on the west side of Ketteler Strasse and at three hundred feet from the angle of intersection of Ketteler Strasse and the Viale Italia.

PEKING LEGATION. BOUNDARIES

PLANE TABLE SURVEY

Scale 480ft. to 1 inch = 1/5760

feet 100 0 100 200 300 400 500 600 700 800 900 1000 feet

BOUNDARY LINE

ROADS

BUILDINGS

MAGNETIC NORTH

1288'

STEWART ROAD

LEGATION STREET.

THURMANN STREET

CHIEN MEN

HATA MEN

SLUICE GATE

S Doc. 67 57 1

From this point the boundary runs nearly due south along the west side of Ketteler Strasse to

Point 11, northwest corner of the archway of the Hatamen, on the south wall of the Tartar City.

From there the boundary runs along the wall and includes the west ramp of the Hatamen to

Point 12, on the wall at one hundred feet to the west of the superstructure of the Hatamen.

From POINT 12, the boundary follows the south side of the wall, as shown in the plan, including in it the bastions and joins *1*.

The points of the plan which have been fixed are the following:

A. Point at one hundred and seven feet from the superstructure of the Chien-Men, measured to the east along the north side of the crest of the wall of the Tartar City.

B. Point on the top of the north edge of the wall of the Tartar City, exactly above the middle of the canal for the drainage of water.

C. Northwest corner of the superstructure of the Hatamen.

Correct copy.

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

ANNEX No. 15.

IMPERIAL EDICT of February 1, 1901.

In all the provinces bandits called for followers and established antiforeign societies. Various edicts were issued formally forbidding this. We repeated this many times, but, nevertheless, in late years there have been in all the Shan-tung districts sects under the name of Ta-tao-huei (Great Knives Society) and I-ho-chuan (Boxers), which spread everywhere, with the object of willful murder and theft. Little by little they reached the Chi-li territory and suddenly entered the capital, where they set fire to the foreign establishments and attacked the Legations. Crimes were also committed against neighboring countries and offenses against the general interest. For not having assured protection we have incurred heavy responsibilities.

You people who in ordinary times nourish yourselves and live from the products of this land, and who have all been loaded with the Empire's favors—you have, however, dared to incite these bandits with the desire to fight, to teach methods for casting spells, and to devote themselves to false practices. You have rashly resisted your officials, whom you have massacred; you have assassinated foreigners, and then you have been the cause of unprecedented calamities, which above all else have plunged your Sovereign and your fathers in grief.

We can not think of what has been done without feeling a still deeper resentment. We have already formally ordered the Commanders in chief of all the regions to use their most strenuous efforts to destroy these societies. It is incumbent that the root of the evil be suppressed, and the Princes and Ministers who have lent their support to the Boxers shall suffer the heaviest penalties according to their crimes, and in

order to inspire fear, all civil and military examinations shall be suspended during five years in all cities where foreigners were massacred or suffered cruel treatment.

Fearing lest the ignorant rural populations may not hear (of these punishments), new and severe prohibitions shall be specially made in order to avoid the execution of people who have not been notified.

You, soldiers and people, should know that it is formally forbidden by law to organize or belong to secret societies. Our ancestors have never shown the slightest indulgence in the repression of societies of malefactors.

Moreover, the foreign Powers are all friendly countries, the Christians are children of our blood whom the Court regards with a same kindness, and It could not allow different sentiments to be displayed towards them. All Chinese, whether Christians or not, who may be illtreated, should complain to the authorities and wait until a fair and equitable judgment is rendered. How can you lightly believe all the rumors which have been spread? How can you disregard the penal laws?

Then, when all is lost, the clever ones save themselves by flight and the innocent are put to death. The law is slow to pardon, and all that has happened is really very regrettable. From the publication of this present edict, each one must reform and repent him of the teaching he has received.

If hardened and incorrigible malefactors should again secretly organize antiforeign societies, they shall be punished by death, as well as those belonging to these societies. They shall not be shown the slightest mercy.

The Tartar Generals, Governors-general, Governors, and High provincial Authorities whose duty it is to direct the population, should give explicit instructions to their subordinates to publish severe proclamations and to have the present edict printed on yellow paper, which shall be posted in all parts of the Empire. It is important that all families be notified, and urged to good conduct, and that all be informed that the will of the Court is that everyone should thoroughly understand that punishments will be meted out, in order to avoid the necessity of inflicting other punishments.

Let this edict be made known to all in the Empire.

Respect this!

Correct copy:

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

ANNEX No. 16.

IMPERIAL EDICT of December 24, 1901 (Translation).

It has been stipulated in the treaties concluded between China and the Foreign Powers that the citizens of these Powers shall be allowed to penetrate into the interior.

The Court, in order to assure and maintain relations with other countries, has already published decrees ordering that most sincere efforts be made in the provinces to assure protection. Nevertheless,

the local authorities having gradually grown lax (in the exercise of their duties), malefactors have caused trouble, and attacks have been directed against foreigners. Similar incidents have repeatedly occurred.

We realize that our ability was too limited to reform the ignorant people, and consequently we have made very grievous mistakes. In ordinary times, not one of the local officials has been able to make understood European affairs, and none have comprehended the importance of foreign relations. Consequently the conflagration spread everywhere, threatening the Empire, and, if they reflect, they will find they have cause for uneasiness.

Henceforth each one of you must strive to overcome his resentment and to lay aside his prejudices. You should know that the maintenance of friendly relations with foreign countries has in all times been a fundamental law. People coming to China from afar, whether as merchants to exchange their products, or as travelers to increase their scientific knowledge, or yet as missionaries to preach religion with the object of exhorting the people to do good, have crossed mountains and seas at the risk of great fatigue.

Since China passes for a civilized country, it should practice the duties of a host toward its guests. Moreover, the Chinese who have gone abroad in recent years number at least several hundreds of thousands. The safety of their persons and property depends upon the guaranty assured them by the Powers, who have given them their protection. How could we continue to treat their citizens differently?

We again command all the responsible High civil and military Authorities of all the provinces to order their subordinates to protect, in the most efficacious manner, the agents and nationals of the foreign Powers who may enter within their districts. In case daring malefactors should urge to illtreat and massacre foreigners, order must be restored immediately and the guilty parties arrested and punished without delay. No delay should occur. If, owing to indifference, or rather of voluntary tolerance, great calamities take place, or if treaties should be violated and no immediate steps taken to make reparation or inflict punishment, the Governors-general, Governors, and the provincial or local Officials responsible will be removed and shall not be reappointed to other offices in other provinces, or hope to be reinstated or receive any further honors.

The present decree must be printed and published to warn the officials and put an end to all shameful customs.

Respect this!

Correct copy:

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

ANNEX No. 17.

Regulations for the improvement of the course of the Whangpu.

I. A River Conservancy Board is established at Shanghai for the Whangpu river.

II. The Board shall have the twofold duty of acting as agent for the straightening and improvement of the river, and as controlling agent.

III. The jurisdiction of the Board shall extend from a line drawn from the lower limit of the Kiang-nan Arsenal towards the mouth of Arsenal Creek, to the red buoy in the Yangtze.

IV. The Board shall consist of: (*a*) The Taotai; (*b*) the Commissioner of Customs; (*c*) two members elected by the Consular Body; (*d*) two members of the General Chamber of Commerce of Shanghai, elected by the committee of the said Chamber; (*e*) two members representing shipping interests, elected by shipping companies, commercial firms, and the merchants the total of whose entrances and clearances at Shanghai, Woosung, and other ports on the Whangpu exceeds 50,000 tons per annum; (*f*) a member of the municipal Council of the International Settlement; (*g*) a member of the municipal Council of the French Concession, and (*h*) a representative of each country the total tonnage of whose ships entering and clearing at Shanghai and any other port of the Whangpu exceeds two hundred thousand tons a year.

V. The *ex officio* members shall hold office as long as they fill the position by virtue of which they sit on the Board.

VI. The representatives of the municipal Councils and of the Chamber of Commerce shall be elected for a period of one year. They may be immediately reelected.

The term of office of the members to be designated by the Governments (provided under paragraph *h*) shall also be one year.

The term of the other members is for three years. They may be immediately reelected.

VII. In case of a vacancy during a term, the successor of the outgoing member shall be designated for one year or for three years, according to the class to which he belongs.

VIII. The Board shall elect its Chairman and Vice-Chairman from amongst its members for a term of one year. If there is no majority at the election of Chairman, the Senior Consul shall be requested to give a casting vote.

IX. In case of the absence of the Chairman the Vice-Chairman shall take his place. If both of them are absent the members shall choose amongst themselves a President for the occasion.

X. In all meetings of the Board, if votes are equally divided, the Chairman shall have a casting vote.

XI. Four members form a quorum.

XII. The Board shall appoint the officials and employees deemed necessary for carrying out the works and enforcing its regulations; it shall fix their salaries, wages, and gratuities, and shall pay them out of the funds placed at its disposal, and it may make regulations and take every measure necessary concerning its staff, which it can dismiss at pleasure.

XIII. The Board shall decide on the necessary steps for the regulation of traffic, including the placing of moorings in the river and the berthing of vessels within the limits indicated in Article III, and on all water courses (such as the Soochow Creek and others) passing through the French Concession or the International Settlement at Shanghai and the foreign quarter at Woosung, as well as on all the other creeks emptying into the river, for a distance of 2 English miles above their mouths.

XIV. The Board shall have power to expropriate the private moorings and to establish a system of public moorings in the river.

XV. The authorization of the Board shall be necessary to carry out

any dredging, to build bunds, to construct jetties, or to place pontoons and hulks in the section of the river mentioned in Article XIII. The Board may, at its discretion, refuse such authorization.

XVI. The Board shall have full power to remove all obstacles in the river, or the above-mentioned creeks, and to recover, if necessary, the cost of so doing from those responsible.

XVII. The Board shall have control of all floating lights, buoys, beacons, landmarks, and light signals within the section of the river and within the creeks mentioned in Article XIII, as well as over such marks on the shore as may be necessary for the safe navigation of the river, with the exception of light-houses, which shall remain subject to Article XXXII of the treaty of 1858 between Great Britain and China.

XVIII. The improvement and conservancy works of the Whangpu shall be entirely under the technical control of the Board, even should the carrying out of them necessitate works beyond the limits of its jurisdiction. In this case the necessary orders will be transmitted by and the work will be done with the consent of the Chinese authorities.

XIX. The Board shall receive and disburse all the funds collected for the works and take, in conjunction with the competent authorities, all proper and efficacious measures to ensure the collection of the taxes and the enforcement of the regulations.

XX. The Board shall appoint the Harbour Master and his staff. This department shall act, within the limits of the powers assigned to the board, in the section of the river indicated in Article XIII.

XXI. The Board shall have authority to organize a police and watch service to ensure the execution of its regulations and orders.

XXII. The Board shall have the direction and control of the Shanghai (Lower Yangtze) pilot service. Licenses for pilots for ships bound for Shanghai shall only be issued by the Board and at its discretion.

XXIII. In case of infractions of its regulations, the Board shall sue offenders in the following way: Foreigners, before their respective consuls or competent judicial authority; Chinese or foreigners whose Governments are not represented in China, in the mixed Court, in the presence of a foreign assessor.

XXIV. All suits against the Board shall be brought before the Court of Consuls at Shanghai. The Board shall be represented in suits by its secretary.

XXV. Members of the Board and persons employed by it shall not incur any personal responsibility for the votes and acts of the Board, for contracts made or expenses incurred by the said body, when the said votes, acts, contracts, and expenses concern the carrying out or the enforcement, under the authority or by order of the Board or of one of its branches, of the regulations enacted by said body.

XXVI. Besides the provisions mentioned in Article XIII o thef present annex, the Board shall have power to enact, within the limits of its competency, all necessary ordinances and regulations, and to fix fines for the violation thereof.

XXVII. The ordinances and regulations mentioned in Article XXVI shall be submitted for the approbation of the Consular Body. If two months after presenting the draft of the proposed ordinances and regulations the Consular Body has made no objection or suggested no modification, it shall be considered as approved and shall come into force.

XXVIII. The Board shall have power to acquire by purchase the lands necessary for carrying out the works of improvement and conservancy of the Whangpu and to dispose of them.

If, for this purpose, it shall be deemed necessary to expropriate land, the rules laid down in Article VI (*a*) of "The Land Regulations for the Foreign Settlement of Shanghai North of the Yang-king-pang" shall be followed. The price shall be fixed by a Committee consisting of, first, a person chosen by the authority to whose jurisdiction the owner is subject; second, one chosen by the Board, and, third, one chosen by the Dean of the Consular Corps.

XXIX. Riparian owners shall have the refusal of all land made in front of their properties by the reclamation carried out for the improvement of the waterways in question. The purchase price of these lands shall be fixed by a Committee composed in the same manner as provided for in Article XXVIII.

XXX. The revenues of the Board are to be derived from—

(*a*) An annual tax of one-tenth of 1 per cent (0.1 per cent) on the assessed value of all lands and houses in the French Concession and the International Settlement.

(*b*) A tax of equal amount on all property with water frontage on the Whangpu, from a line drawn from the lower limit of the Kiang-nan Arsenal toward the mouth of Arsenal Creek to the place where the Whangpu empties into the Yangtze. The assessed value of this property shall be fixed by the Committee mentioned in Article XXVIII.

(*c*) A tax of five candereens per ton on all ships of non-Chinese type and of a tonnage superior to 150 tons entering or leaving the port of Shanghai, Woosung, or any other port on the Whangpu.

Ships of non-Chinese type of 150 tons and under shall pay a quarter of the above-mentioned tax. These taxes shall only be leviable on each ship once every four months, irrespective of the number of its entrances and clearances.

Foreign-built ships navigating the Yangtze and only stopping at Woosung to take their river papers shall be exempted from the taxes above mentioned, on condition that on their way up or down they shall not carry on any commercial transactions at Woosung. They shall, however, be allowed to take on water and supplies at Woosung.

(*d*) A tax of one-tenth of 1 per centum (0.1 per cent) on all merchandise passing through the customs at Shanghai, Woosung, or any other port on the Whangpu.

(*e*) An annual contribution from the Chinese Government equal to that supplied by the various foreign interests.

XXXI. The collection of the taxes enumerated in Article XXX shall be made through the medium of the following authorities:

Tax *a*, by the respective Municipalities.

Tax *b*, to be collected from persons under the jurisdiction of Governments represented in China by their respective Consuls; the taxes to be collected from Chinese or from persons whose Governments are not represented in China by the Taotai.

Taxes *c* and *d*, by the Imperial Maritime Customs.

XXXII. Should the total annual revenues of the Board not be sufficient for the payment of interest and the amortization of the capital to be borrowed for carrying out the works, for keeping up the completed works, and for the service in general, the Board shall have the power to increase in the same proportion the various taxes on shipping,

on land and houses, and on trade, to a figure sufficient to supply its recognized needs. This eventual increase would apply in the same proportion to the contribution of the Chinese Government mentioned in paragraph *e* of Article XXX.

XXXIII. The Board shall give notice to the Superintendent of Southern Trade and to the Consular Body of the necessity for the increase referred to in Article XXXII. Such increase shall only come into force after its approval by the Consular Body at Shanghai.

XXXIV. The Board shall submit to the Superintendent of Southern Trade and to the Consular Body at Shanghai, within six months after the closing of each financial year, its annual accounts, accompanied by a detailed report on the general management and the receipts and expenditures during the preceding twelve months. This report shall be published.

XXXV. If the exact and published accounts of receipts and expenditures show a balance of receipts over expenses, the taxes mentioned in Article XXX shall be proportionately reduced by the Board and the Consular Body at Shanghai acting conjointly. The eventual reduction shall apply in the same proportion to the contribution of the Chinese Government referred to in paragraph *e* of Article XXX.

XXXVI. At the expiration of the first term of three years the signatories shall examine conjointly whether the provisions contained in the present annex require revision. A new revision can take place every three years under the same conditions.

XXXVII. The regulations of the Board within the limits provided for in Article XIII, and subject to the approbation of the Consular Body at Shanghai, shall be binding on all foreigners.

Done at Peking September 7th, 1901.

Correct copy.

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

ANNEX No. 18.

IMPERIAL EDICT of the 24th July, 1901 (Translation).

The 9th day of the 6th moon the Grand Chancellery received the following Edict:

"The creation of offices and the determination of their duties has until now been regulated by the requirements of the times. Now, at the present time, when a new treaty of peace is concluded, international affairs take the first place among important business, and it is more than ever necessary to have recourse to competent men to devote themselves to all that relates to establishing friendly relations and confidence in speech.

"The Office of Foreign Affairs, formerly created to treat international questions, has been in existence, it is true, for years, but, in view of the Princes and Ministers composing it only discharging for the most part their functions accessorily with others, they could not devote themselves to them exclusively. It is naturally, therefore,

proper to create special functions, so that each one may have his particular attributions.

"We command, in consequence, that the Office of Foreign Affairs (Tsung-li ko kuo shih-wu ya-men) be changed into a Ministry of Foreign Affairs (Wai-wu Pu) and take rank before the six Ministries. And we designate YI-K'UANG, Prince Ch'ing of the first rank, as President of the Ministry of Foreign Affairs.

"WANG WEN-SHAO, Grand Secretary of State of the Ti-jen Ko, is appointed Assistant-President of the Ministry of Foreign Affairs. CH'Ü HUNG-CHI, President of the Board of Works, is transferred with the same rank to the Ministry of Foreign Affairs, in which he is appointed Assistant-President. HSÜ SHOU-P'ENG, Director of the Imperial Stud, and LIEN-FANG, Expectant Metropolitan Subdirector of the third or fourth rank, are appointed first and second Directors (or Assistant Secretaries).

"As regards the fixing of the personnel, the rules to be followed in its choice, the salaries to be given the Ministers, Directors, and other Agents, We command the Councilors of State to come to an agreement with the Board of Civil Office and to promptly submit to Us their conclusions in a report.

"Respect this."

Correct copy.

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

ANNEX No. 19.

MEMORANDUM on the ceremonial to be followed in solemn audiences.

1°. Solemn audiences to be given by His Majesty the Emperor of China to the Diplomatic Body or to Representatives of the Powers separately shall take place in the palace hall called "Ch'ien-ch'ing Kung."

2°. In going to or coming back from these solemn audiences the Representatives of the Powers shall be carried in their sedan chairs as far as outside of the Ching-yun gate. At the Ching-yun gate they will get out of the sedan chair in which they have come and will be carried in a little chair (i chiao) as far as the foot of the steps of the Ch'ien-ch'ing gate.

On arriving at the Ch'ien-ch'ing gate the Representatives of the Powers shall get out of their chairs, and shall proceed on foot into the presence of His Majesty in the Ch'ien-ch'ing Kung hall.

When departing the Representatives of the Powers shall return to their residences in the same manner as that in which they arrived.

3°. When a Representative of a Power shall have occasion to present to His Majesty the Emperor his letters of credence or a communication from the Head of the State by whom he is accredited, the Emperor shall cause to be sent to the residence of said Representative, to bear him to the Palace, a sedan chair with yellow trimmings and tassels, such as are used by the Princes of the Imperial family. The said Representative shall be taken back to his residence in the same manner. An escort of troops shall likewise be sent to the residence of said Representative to accompany him going and returning.

4°. When presenting his letters of credence or communication from the Head of the State by whom he is accredited, the Diplomatic Agent, while bearing said letters or communications, shall pass by the central openings of the Palace doors until he has arrived in the presence of His Majesty. On returning from these audiences he will comply, as regards the doors by which he may have to pass, with the usages already established at the Court of Peking for audiences given to Foreign Representatives.

5°. The Emperor shall receive directly into his hands the letters and communications above mentioned which the Foreign Representatives may have to hand to him.

6°. If His Majesty should decide upon inviting to a banquet the Representatives of the Powers it is well understood that this banquet shall be given in one of the halls of the Imperial Palace and that His Majesty shall be present in person.

7°. In brief, the ceremonial adopted by China as regards Foreign Representatives shall, in no case, be different from that which results from perfect equality between the Countries concerned and China, and without any loss of prestige on one side or the other.

Correct copy.

A. D'ANTHOUARD.
B. KROUPENSKY.
REGINALD TOWER.
G. BOHLEN-HALBACH.

Mr. Conger to Mr. Hay.

No. 776.] LEGATION OF THE UNITED STATES,
Pekin, October 14, 1901.

SIR: I have the honor to inclose herewith a translation of the bond for the lump sum or total indemnity of 450,000,000 taels, which, in compliance with paragraph (*c*) of Article VI of the Final Protocol, was yesterday delivered to His Excellency Mr. B. J. de Cologan, as Dean of the Diplomatic Corps, signed and sealed by the plenipotentiaries, Prince Ch'ing and Li Hung-chang, and bearing the official seal of the Imperial Board of Revenue.

I will send a copy of the bond in French and Chinese as soon as it can be obtained.

I am, etc., E. H. CONGER.

[Inclosure.—Translation.]

We, Prince Ch'ing, Grand Secretary Li Hung-chang, and the Ministers of Finance, deliver the present bond, according to the clauses of Article VI of the protocol signed September 7, 1901, by the Plenipotentiaries of the eleven powers, viz: Germany, Austria-Hungary, Belgium, Spain, the United States of America, France, Great Britain, Italy, Japan, Holland, and Russia, and by the Chinese plenipotentiaries, who stipulate the following:

By an Imperial Edict dated May 29, 1901, His Majesty the Emperor of China agreed to pay the Powers an indemnity of 450,000,000 haikwan taels, calculated in

gold at the rate of the haikwan tael to the gold currency of each country, as indicated below:

Haikwan tael equals in—	
Marks	3.055
Austro-Hungary crown	3.595
Gold dollar	.742
Francs	3.750
Pound sterling	[1]3
Yen	1.407
Florin, Netherlands	1.796
Gold ruble (17.424 dolias fine)	1.412

This sum in gold shall bear interest at 4 per cent per annum, and the capital shall be reimbursed by China in thirty-nine years, under the conditions indicated in the plan of amortization annexed to said protocol.

The principal and interest shall be payable in gold or at the rates of exchange corresponding to the dates at which the different payments fall due.

The amortization shall be paid annually.

The interest shall be paid semiannually, and shall start from the 1st of July, 1901, but the Chinese Government shall have the right to pay off, within a term of three years, commencing January 1, 1902, the arrears of the first six months, finishing December 31, 1901, on condition, however, that it pays compound interest at the rate of 4 per cent per annum on the sums the payments of which shall have thus been deferred.

The present bond shall be converted into fractional bonds, signed by the delegates of the Chinese Government designated for this purpose.

The resources assigned as security for the bonds are the following:

1. The balance of the revenues of the Imperial Maritime Customs, after payment of the interest and amortization of previous loans secured on these revenues, plus the proceeds of the raising to 5 per cent effective of the present tariff on maritime imports, including articles until now on the free list, but exempting rice, cereals, and flour from abroad, gold and silver bullion, and coin.

2. The revenues of the native customs, administered in the open ports by the Imperial Maritime Customs.

3. The total revenues of the salt gabelle, exclusive of the fraction previously set aside for other foreign loans.

The product of the resources assigned to the payment of the bonds shall be remitted monthly to the commission of bankers designated by the various powers for the collection of the sums belonging to each of them.

The present bond represents the sum of 450,000,000 haikwan taels, calculated in gold at the rate corresponding to the gold currency of each country as indicated above.

TELEGRAPHIC CORRESPONDENCE.

[August 26, 1900–September 10, 1901.]

Mr. Adee to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *August 26, 1900.*

(Mr. Adee states that Mr. Rockhill was appointed, while Mr. Conger was inaccessible, as special agent to examine and report on situation. He will reach Peking shortly. Instructs to confer fully with him, and make joint recommendation as to action now and for the future.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *September 12, 1900.*

(Mr. Conger acknowledges Department's telegram containing Russian declaration and reply of United States, and reports that a large

[1] Shillings.

part of the Russian forces is now being withdrawn. The restoration of order in this province or of Chinese authority in Peking is, for the present, impossible. Joint military occupation of Peking is absolutely essential to successful negotiations, and should continue until same are completed. One-third of the present force will suffice.

Mr. Conger does not believe, from his acquaintance with Prince Ching and Earl Li, that they can offer any feasible plan. It must be devised by foreign powers, hence the necessity of their early conference and agreement.)

Mr. Hill to Mr. Conger.

[Telegram.]

WASHINGTON, *September 22, 1900.*

Part 1. On September 17 the Chinese minister presented copy of circular telegram from Prince Ching announcing appointment as the plenipotentiary conjointly with Li Hung Chang to negotiate peace and requesting that United States minister at Pekin be instructed to open negotiations. The following reply has been made to-day to Chinese minister:

The Government of the United States accepts the plenipotentiary authority of Earl Li Hung Chang and Prince Ching as prima facie sufficient for the preliminary negotiations looking toward the return of the Imperial Chinese Government and to the resumption of authority at Pekin and toward the negotiations of a complete settlement by the duly appointed plenipotentiaries of the powers and of China. To these ends the United States minister in Pekin will be authorized to enter into relations with Earl Li and Prince Ching as the immediate representatives of the Chinese Government and Emperor.

Part 2. On September 17 the Russian chargé delivered a memorandum inquiring, first, whether the United States intends to transfer its legation from Pekin to Tientsin; second, if full powers of Prince Ching and Li Hung Chang are recognized by the United States as sufficient; third, if the United States is prepared to charge its representatives to enter forthwith upon preliminary negotiations with the plenipotentiary of the Chinese Emperor.

The following reply has been sent to the Russian chargé to-day:

1. The Government of the United States has not any present intentions to withdraw its legation from Pekin.
2. The Government of the United States accepts the plenipotentiary authority of Earl Li Hung Chang and Prince Ching as prima facie sufficient for the preliminary negotiations looking toward the return of the Imperial Chinese Government and to the resumption of its authority at Pekin and toward the negotiations of complete settlement by the duly appointed plenipotentiaries of the powers and of China.
3. To these ends the United States minister in Pekin will be authorized to enter into relations with Earl Li and Prince Ching as the immediate representatives of the Chinese Emperor.

Part 3. On September 18 the German chargé communicated by note the Imperial German circular proposition that as a prerequisite to any negotiations the Chinese Government shall deliver the real responsible authors of crimes against international law recently perpetrated in China.

To this the following note has been handed the German chargé to-day:

In response to your inquiry of the 18th instant as to the attitude of the Government of the United States as regards the exemplary punishment of the notable leaders

in the crimes committed in Pekin against international law, I have the honor to make the following statement:

The Government of the United States has from the outset proclaimed its purpose to hold to the uttermost the responsible authors of any wrongs done in China to citizens of the United States and their interests, as was stated in the Government circular to the powers of July 3 last. These wrongs have been committed not alone in Pekin, but in many parts of the Empire, and their punishment is believed to be an essential element of any effective settlement which shall prevent a recurrence of such outrages and bring about permanent safety and peace in China. It is thought, however, that no punitive results can be so effective by way of reparation for wrongs suffered and as examples for the future as the degradation and punishment of the responsible authors by the supreme Imperial authority itself, and it seems only just to China that she should be afforded in the first instance the opportunity to do this, and thus rehabilitate herself before the world. Believing thus, and without abating in any wise its deliberate purpose to exact the fullest accountability from the responsible authors of the wrongs we have suffered in China, the Government of the United States is not disposed as a preliminary condition to entering into diplomatic negotiations with the Chinese Government to join in demand that said Government surrender to the powers such persons as to the determination of the powers themselves may be held to be first and perpetrators of these wrongs. On the other hand, this Government is disposed to hold that the punishment of the high responsible authors of these wrongs, not only in Pekin but throughout China, is essentially a condition to be embraced and provided for in the negotiations for a final settlement. It is proposed by this Government at the earliest practicable moment to name its plenipotentiaries for negotiating a settlement with China, and in the meantime to authorize its minister in Pekin to enter into conference with the representatives of the Chinese Government with a view to bring about a preliminary agreement whereby full exercise of the Imperial authority for the preservation of order and the protection of foreign life and property throughout north China pending final negotiations with the Chinese shall be assured.

HILL, *Acting.*

Mr. Conger to the Secretary of State.

[Telegram.—Paraphrase.]

PEKING, *September 27, 1900.*

(Mr. Conger reports that notice has to-day been sent by Prince Ching that he, Earl Li, Yung Lu, and Viceroys Liu Kun-yi and Chang Chih-tung are all to concert in peace negotiations. Li is at Tientsin and Jung Lu is in the interior. No request has yet been made to negotiate, nor have powers been exhibited. * * * Chinese Government has made no visible effort to restore order.)

Mr. Hill to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *September 29.*

(Mr. Hill states that this Government laid down, in a memorandum handed to Mr. Wu on September 7, the principle that it was unwilling to negotiate through any person who is believed to share responsibility for the recent outrages committed in Peking upon foreigners. Earl Li Hung Chang and Prince Ching, having presented prima facie evidence of their full powers as negotiators immediately representing the Emperor of China, and the former having given assurances that the lives and property of Americans in China will be respected, they have been informed that their plenipotentiary authority is accepted as suf-

ficient for the preliminary negotiations looking toward the return of the Imperial Chinese Government and the resumption of its authority in Peking, and toward the negotiation of a final settlement by the duly appointed plenipotentiaries of the powers and of China. To these ends Mr. Conger is authorized to enter into relations with Earl Li and Prince Ching as the immediate representatives of the Chinese Emperor, in case their authority continues to appear satisfactory, for the purposes already defined.

In his preliminary communications with Earl Li and Prince Ching Mr. Conger will obtain valuable guidance as to the purposes of this Government by referring to the circular telegram of July 3, in which the general intentions of this Government are fully represented.

Mr. Conger is directed to constantly bear in mind the principle laid down in the memorandum of September 7, and to withhold recognition from all persons proposed as negotiators not acceptable under its terms or not possessed of immediate full power from the Emperor of China.

In case of further wrongs anywhere in China to American life or property Mr. Conger will remind Earl Li of his promise of protection and insist upon it as a condition of continued relations.

His legation will, until further instructed, remain in Peking under the protection of an adequate military guard, which has been ordered to remain there for that purpose. Mr. Conger will endeavor to prepare the way for such final negotiations as may hereafter be found necessary to accomplish the declared purposes of the United States, making full report of his progress and, before concluding definite arrangements, awaiting further instructions from the Department.)

Mr. Conger to the Secretary of State.

[Telegram.—Paraphrase.]

PEKING, *October 3, 1900.*

(Mr. Conger reports that on September 25 an Imperial decree was issued acknowledging the responsibility of the Chinese Government for the recent troubles, the Emperor accepting his share. The decree deprives Princes Chuang, Tsai Lien, and Tsai Ying of all titles of nobility; removes Prince Tuan from office and turns him over to Imperial clan court for determination of punishment, and hands over Duke Lan, Ying Nien, Kang Yi, and Chao Shu-Chiao to proper boards for further punishments. He is evidently feeling his way, but others must be included, and most severe and lasting punishment be insisted upon finally.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *October 3, 1900.*

(Mr. Hay states that the Imperial edict of September 25 has been communicated by the Chinese minister, whereby Prince Chuang, Prince Yih, secondary princes Tsai Lien and Tsai Ying are deprived of all

their respective ranks and offices; Prince Tuan is deprived of office and is handed over to the Imperial clan court, which shall consult and decide upon a severe penalty, and his salary is to be stopped. Duke Tsai Lan and the president of the censorate, Ying Nien, are handed over to said board, who shall consult and decide upon a severe penalty, and Kang Yi, assistant grand secretary and president of the civil board, and Chao Shu-chiao, president of the board of punishments, are handed over to the board of censors, who shall consult and decide upon a penalty.

This edict, if it embraces all the high responsible officials to whom are imputable the crimes and wrongs against foreign legations, and if it leads to condign punishment which shall for the future safeguard our citizens and prevent a recurrence of the disasters from which we and other powers have suffered, may be regarded as a notable step in the direction of peace and order in China.

Mr. Conger is directed to report immediately, first, if the principal responsible authors are correctly and satisfactorily enumerated in the list given in the edict; secondly, if the punishments proposed accord with the gravity of the crimes committed, and, third, in what manner assurance that these punishments are carried out is to be given to the powers.

Before answering these inquiries Mr. Conger will confer with his colleagues.)

Mr. Conger to the Secretary of State.

[Telegram.—Partly paraphrased.]

PEKING, *October 16, 1900.*

(Mr. Conger reports that the following has been submitted by Prince Ching and Earl Li as a general preliminary treaty, together with request for a meeting with the foreign minisiters:)

ARTICLE 1. Laying siege to legations of foreign ministers is a high offense against one of the important principles of international law. No country can possibly tolerate such a thing. China acknowledges her great fault in this respect and promises that it will never occur again.

ART. 2. China admits her liability to pay indemnity for the various losses sustained on this occasion, and the powers will each appoint officials to examine and present all claims for final consultation and settlement.

ART. 3. As to future trade and general international relations, each power should designate how these matters should be dealt with, whether the old treaties shall continue or new conventions be made slightly adding to the old treaties, or canceling old treaties and negotiating new ones. Any of these plans may be adopted, and when China has approved, further special regulations can be made in each case as required.

ART. 4. This convention will be made by China with the combined powers to cover general principles which apply alike to all. This settled, the foreign ministers will remove the seals they caused to be placed in the various parts of the tsungli yamen, and then the yamen ministers may go to the yamen and attend to business as usual. And further, each power should arrange its own special affairs with China, so that separate treaties may be settled in due order. When the various items of indemnity are all arranged properly, or an understanding has been come to about them, then the powers will successively withdraw their troops.

ART. 5. The troops sent to China by the powers were for the protection of the ministers, and for no other purpose, so when negotiations begin for treaties of peace each power should first declare an armistice.

(Mr. Conger has merely acknowledged above, and awaits further instructions before replying. He states that the general negotiations should cover as many points as possible. The general treaty should

include, in addition to the above draft, (1) a complete statement of the purpose in landing troops in China; (2) the restoration of order and return of the Imperial Government, or proof of its potential existence; (3) acknowledgment by the Imperial Government of liability for attacks on all foreigners as well as ministers; (4) indemnity for expenses and wrongs, as well as losses, some general plan for measuring and paying same, and effective guaranties for the future; (5) provision for a defensible legation settlement, and legation and railroad guards; (6) the substitution of a minister for foreign affairs instead of tsungli yamen; (7) Chinese capital to be a treaty port; (8) adequate punishment of leaders and abettors of crimes against legations and foreigners.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *October 19, 1900.*

(Mr. Hay acknowledges Mr. Conger's telegram of the 16th instant and states that the Chinese propositions are, in the main, acceptable to us, with the incorporation of his suggestions and of points hereinafter expressed. If Mr. Conger's seventh suggestion means placing Peking on the footing of a treaty port it is commendable.

The French proposition of terms, which was communicated to Mr. Hay on the 4th instant and replied to on the 10th, is probably now in Mr. Conger's possession. We accept the first article, taking the Chinese punishment edict as a starting point; additional names to be suggested by representatives of the powers when negotiations are begun.

Second. It is not understood that interdiction of importation of arms is to be permanent; its duration and regulation proper subject of discussion.

Third. All the powers desire equitable indemnity, intention of acquisition of territory being positively disclaimed by all. We would favor Russian suggestion to remit the question to The Hague arbitration court in case of a protracted disagreement as to amount of indemnity.

Fourth. While now maintaining precautionary legation guards, the United States is unable to make permanent engagement without legislative authorization.

Fifth. As to dismantling Taku forts, the President reserves opinion pending further information in regard to the situation in China.

Sixth. We can not commit ourselves to participation in military occupation of the road from Tientsin. It would require legislation, but it is desirable that assurance be obtained from China by the powers of the right to guard legations and to have unrestricted access when required.

We are advised that the French proposition has been acquiesced in by all the powers, with more or less reservations, which, like ours, are not calculated to embarrass negotiations. French note received the 17th instant urges that the powers agree to show to China their readiness to negotiate by communicating, without prejudice to discussion of the points reserved as above, the French propositions, either severally or through the dean of the diplomatic corps. Mr. Conger will

confer with his colleagues with a view to doing this. We are anxious to have the negotiations begin as soon as we and the other powers are satisfied of the Emperor's ability and power to deal justly and sternly with the responsible offenders, and the President so replied to an appeal of the Emperor communicated by telegraph.

During the negotiations no opportunity to safeguard the principle of impartial trade, to which all the powers are pledged, should be lost. * * *)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *October 26, 1900.*

(Mr. Conger reports the unanimous agreement of the diplomatic corps to demand, as Article I in treaty, as an ultimatum, the death of the nine persons named in the decree referred to in his telegram of October 3, adding Tung Fu-hsiang and Yü Hsien, and designating others for commensurate punishment when discovered. Asks if Department approves; he advises it.

Has made protest against removal of the Yangtze viceroys or the appointment of reactionary officials.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *October 29, 1900.*

(Mr. Hay acknowledges Mr. Conger's telegram of the 26th instant. The President thinks that before submitting the proposed ultimatum, therein referred to, the Chinese Government should be advised that the ministers are in possession of indubitable evidence of the guilt of the nine persons named in the edict and others, and it should be ascertained from that Government what punishment it proposes to inflict upon them. Should such punishment not be adequate, further action to secure compliance with just demands can be considered and determined.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrased.]

WASHINGTON, *October 30, 1900.*

(Mr. Hay states that peremptory demand should be made for securing religious liberty and rights and full guaranties in the future for Chinese Christians not technically under our protection, as well as exemplary punishment of those who have wronged them. The existing treaty entitles us to this. Should the Chinese Government be inclined to allow them compensation for their losses and sufferings, it should be accepted as an evidence of desire to make all due reparation, and Mr. Conger is directed to use every endeavor to promote such a result.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *November 1, 1900.*

(Mr. Conger acknowledges receipt, on November 1, of Department's telegram of October 29, and reports that formal acknowledgment of the criminal responsibility of the eleven persons named has been made by the Chinese Government. His colleagues unanimously agree that their case would be greatly weakened and the negotiations would be jeopardized should the Chinese Government be asked the punishment it proposed to inflict. The leading foreign ministers have so far, in addition to the punishment of the leaders, unanimously agreed to the following:

First. The prohibition, at the discretion of the powers, of the importation of arms.

Second. The suppression for two years of civil and military examinations in criminal districts and the decreeing of death punishment for future members of Boxer organization.

Third. Indemnities for governments, societies, individual foreigners, and Chinese employed by foreigners.

Fourth. Legations shall have the right to put legation quarters in a state of defense and to establish permanent guards, and to occupy certain points to assure free communication between the capital and the sea.

Fifth. The destruction of Taku and other forts which might interfere with such communication.

Sixth. The substitution for the Tsungli Yamen of minister for foreign affairs.

Seventh. Court ceremonials similar to those in European countries.

Other questions are still under discussion. When ministers shall have agreed they intend to meet the Chinese plenipotentiaries and present the conditions as a whole.

Asks if Department approves.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *November 6, 1900.*

(Mr. Conger reports that the ministers have all agreed that provisions for suitable reparation for the murder of Baron von Ketteler should be made in the general treaty. The following is agreed to by all except Russian and French ministers:

First. The Chinese Government should undertake to negotiate hereafter, on lines which it may seem convenient for the foreign powers to propose, for the requisite amendment of commercial treaties and other subjects relating to commerce and navigation.

Second. The Chinese Government shall undertake such financial measures to guarantee the payment of an indemnity and the interest on Government loans as may be indicated by the foreign powers.

Third. As a further guaranty against future troubles an Imperial edict shall be issued and published everywhere in the Empire, making

all viceroyal, provincial, and local officials responsible for order in their respective jurisdictions; and whenever antiforeign disturbances or any other infraction of treaties occur therein, which are not immediately suppressed and the responsible parties punished, the said official shall at once be removed and prohibited forever thereafter from holding office or receiving official honors.

Mr. Conger states that all of these points are very important, and believes that, even if a separate convention with the powers agreeing should be necessary, they should be insisted upon.)

Mr. Hay to Mr. Conger.

[Telegram.—Pharaphrase.]

WASHINGTON, *November 9, 1900.*

(Mr. Hay, replying to Mr. Conger's telegram of the 1st instant, states that the seven proposed conditions are approved by the President, who thinks dismantling Taku forts would be preferable to their destruction, and suggests consultation on this point with military commander.

Replying to Mr. Conger's telegram of the 6th instant, Mr. Hay states that the first and second conditions, especially the second, appear to be practical safeguards for the future. If the powers can not agree on the first condition, this Government would reserve the right to negotiate in that sense with China, independently but coincidentally with the powers entertaining the same view. The third condition would appear to devolve responsibility too completely on the local authorities. The President is of the opinion that the primary responsibility of the Chinese Government should be emphasized, the suggested accountability and provisions for punishment of delinquent local authorities being merely one phase of the enforcement of the supreme obligation to repress, punish, and make adequate reparation for treaty infractions. The President regards as of greatest importance prompt agreement upon bases of settlement, and would regret if divergence upon essential points should necessitate separate convention with powers agreeing upon such points, as is intimated by Mr. Conger.

The moral effect of unanimous concert can hardly be overestimated.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *November 9, 1900.*

(Mr. Hay states that Department's instructions of October 29 still express the views of the President.

Formal acknowledgment of responsibility of the eleven persons named having been made by the Chinese Government, Mr. Conger is directed to insist upon their severe and adequate punishment, though the President does not undertake to determine what the punishment shall be in each case. It is important that the negotiations be not defeated nor greatly delayed.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *November 16, 1900.*

(Mr. Hay directs Mr. Conger to try to arrange before negotiations close, if possible, that Peking may be made as treaty port and that the Chinese minister for foreign affairs shall be required to speak some foreign language; to favor lump sum for indemnity, distribution among the powers to be subsequently arranged, possibly by arbitration. Repeats suggestion as to posthumous honors to the three friendly Chinese statesmen. It would be advisable to provide against arbitrary execution, without trial, of high officers of state.

Mr. Conger is to keep always in view and to urge in conference the consideration that impossible terms must not be asked, which would only result in the defeat of the purposes aimed at.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *November 16, 1900.*

(Mr. Conger reports the decapitation at Paotingfu of the provincial treasurer, a Tartar general, and a lieutenant-colonel, under sentence of military court, approved by field marshal.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *November 16, 1900.*

(Mr. Hay, replying to Mr. Conger's telegram of the 14th instant, states that we favor securing foreign rights at treaty ports by adequate foreign concession, either as an international settlement or separate for the interested nations; but forcible appropriation, under claim of conquest, conflicts with the declared purposes of the powers and disturbs their harmonious action. Mr. Conger's protest is approved. We think the matter should be conventionally adjusted as part of the general arrangement, in which the rights of the United States of America should be reserved to an impartial share.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *November 19, 1900.*

(Mr. Conger reports that by a new Imperial decree, dated November 13, punishment of persons mentioned in Imperial decree of September 25 is fixed. In every case the punishment is totally inadequate, and is considered as farcical by the diplomatic corps.)

Mr. Hay to Mr. Conger.

[Telegram —Paraphrase.]

WASHINGTON, *November 20, 1900.*

(Mr. Hay states that the President is most solicitous that the present negotiations shall not fail, either through the presentation of demands with which it may be impossible for China to comply, or by reason of a lack of harmonious cooperation among the powers. The President, confiding in Mr. Conger's experience and wisdom, has left him large discretion as to details, and prefers still to follow that course. The President desires Mr. Conger, however, to consult with his colleagues and to seriously consider whether the presentation of a list of high Chinese officials and the demand for their capital punishment, as an ultimatum, may not result in a failure of negotiations through confession by China of inability to carry out the death sentences. The United States Government, in common with the other powers, desires and must exact the severe and exemplary punishment of those high officials whose crimes have shocked the civilized world, but the President thinks it would be most unfortunate if the powers, having presented an ultimatum to which China may possibly not be able to give effect, should be compelled either to withdraw their demands or to enforce them by a course of action which all deprecate and which would entail consequences impossible to foresee.

Mr. Hay further states that similar considerations apply to the question as to the amount of indemnity to be demanded. The President favors the exaction of a lump sum not beyond the limit of China to pay, to be hereafter equitably distributed among the interested powers. He directs Mr. Hay to repeat to Mr. Conger the instructions heretofore frequently given, that, in view of the serious complications which may result from long delay, Mr. Conger use every endeavor to bring the negotiations to a speedy and satisfactory close.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *November 21, 1900.*

(Mr. Conger refers to his telegram of the 6th November, and states that the Russian minister is still opposed to the second proposition, and that the German and English ministers have for the present instructions not to sign the note without it. Mr. Conger deems it one of the most important demands. He asks instructions upon the suggestion in the last paragraph of his telegram of the 6th, Mr. Hay's telegram of the 9th not covering that point. The Department's reply will be anxiously awaited.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *November 23, 1900.*

(Mr. Conger acknowledges the receipt of Mr. Hay's telegram of the 20th, and reports that all his colleagues are of the opinion that capital punishment can be inflicted upon the persons named, with the

exception possibly of Tung Fu-hsiang, whose services may be needed to punish others. Nevertheless, his colleagues insist on including his name in the demand, but are disposed to modify it as regards that officer after the presentation of the demand to the Chinese plenipotentiaries and upon a satisfactory demonstration by the Chinese Government of its inability to carry out the sentence in his case. Mr. Conger adds that he will do everything possible for a speedy conclusion of the negotiations.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *November 23, 1900.*

(Mr. Hay answers Mr. Conger's telegram of the 21st, stating that the United States Government favors the second proposition in Mr. Conger's telegram of the 6th, but does not wish to embarrass the general negotiations by insisting upon it. He states that if Mr. Conger means by the suggestion in the last paragraph of his telegram of the 6th the contingency of separate conventions between China and the powers agreeing to the three conditions, this Government thinks for China to suppose such separate treaties possible might seriously obstruct the general convention upon points concerning which all the powers are agreed. He adds that a general convention is of the first importance, and that when concluded each power has, of course, liberty to negotiate upon any points not therein expressed.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *November 24, 1900.*

(Mr. Conger reports the unanimous agreement of all the ministers to the demands enumerated in his telegrams of October 26, November 1, 6, 21. He refers to his telegram of the 23d, and adds that the ministers now only wait for some of their number to receive instructions to sign the joint note.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *November 27, 1900.*

(Mr. Hay acknowledges Mr. Conger's last telegram and states that he has received fuller reports of the conferences from the Japanese minister. The President disapproves the word "irrevocable," as apparently equivalent to the ultimatum to which he understands all the powers are opposed. The President gravely questions whether it will be possible to have the death sentences executed in all cases. He also doubts the advisability of the clause prohibiting the importation of

materials which enter into manufacture of munitions of war. Mr. Conger is instructed to present the foregoing views to his colleagues and, after urging them, to advise the Department of the result. He is directed to submit for the President's consideration, before signing, copy of the identical note.)

Mr. Conger to Mr. Hay.

[Telegram.—Partly paraphrased.]

PEKING, *December 4, 1900.*

(Mr. Conger states that he communicates below the full text of the note as amended, and that day finally agreed upon for the sake of immediate and unanimous action. He adds that his colleagues will agree to the present wording if the United States Government insists, although the majority of them prefer to retain the word "irrevocable." As any further changes or delays will jeopardize negotiations, he asks prompt reply, and, if possible, instructions to sign.)

During the months of May, June, July, and August of the present year serious disturbances broke out in the northern provinces of China, and crimes unprecedented in human history—crimes against the law of nations, against the laws of humanity, and against civilization—were committed under peculiarly odious circumstances. The principal of these crimes were the following:

First. On the 20th June, His Excellency Baron von Ketteler, German minister, proceeding to the Tsungli yamen, was murdered while in the exercise of his official duties by soldiers of the regular army acting under orders of their chiefs.

Second. The same day the foreign legations were attacked and besieged; these attacks continued without intermission until the 14th August, on which date the arrival of foreign troops put an end to them. These attacks were made by regular troops who joined the Boxers and who obeyed orders of the court emanating from the Imperial palace. At the same time the Chinese Government officially declared by its representatives abroad that it guaranteed the security of the legations.

Third. The 11th June Mr. Sugiyama, chancellor of the legation of Japan, in the discharge of an official mission, was killed by regulars at the gates of the city. At Peking and in several provinces foreigners were murdered, tortured, or attacked by Boxers and regular troops, and only owed their safety to their determined resistance. Their establishments were pillaged and destroyed.

Fourth. Foreign cemeteries, at Peking especially, were desecrated, the graves opened, the remains scattered abroad. These events led the foreign powers to send their troops to China in order to protect the lives of their representatives and their nationals and to restore order. During their march to Peking the allied forces met with the resistance of the Chinese armies and had to overcome it by force. China having recognized her responsibility, expressed her regrets, and manifested the desire to see an end put to the situation created by the disturbances referred to, the powers have decided to accede to her request on the conditions enumerated below, which they deem absolutely indispensable to expiate the crimes committed and to prevent their recurrence:

(*a*) Dispatch to Berlin of an extraordinary mission, headed by an Imperial prince, to express the regrets of His Majesty the Emperor of China and of the Chinese Government for the murder of his excellency the late Baron von Ketteler, German minister.

(*b*) Erection on the place where the murder was committed of a commemorative monument, suitable to the rank of the deceased, bearing an inscription in the Latin, German, and Chinese languages expressing the regrets of the Emperor of China for the murder.

(*c*) The severest punishment for the persons designated in the imperial decree of September 25, 1900, and for those whom the representatives of the powers shall subsequently designate.

(*d*) Suspension of all official examinations for five years in all the towns where foreigners have been massacred or have been subjected to cruel treatment.

Honorable reparation shall be made by the Chinese Government to the Japanese Government for the murder of Mr. Sugiyama, chancellor of the Japanese legation.

An expiatory monument shall be erected by the Imperial Chinese Government in

each of the foreign or international cemeteries which have been desecrated and in which the graves have been destroyed.

Maintenance, under conditions to be settled between the powers, of the prohibition of the importation of arms, as well as of material used exclusively for the manufacturing of arms and ammunition.

Equitable indemnities for governments, societies, companies, and individuals, as well as for the Chinese who have suffered in person or property in consequence of their being in the service of foreigners. China shall adopt financial measures acceptable to the powers for the purpose of guaranteeing the payment of said indemnities and the interest and amortization of the loans.

Right for each power to maintain a permanent guard for its legation and to put the legation quarter in a defensible condition. Chinese shall not have the right to reside in this quarter.

The Taku and other forts which might impede free communication between Peking and the sea shall be razed.

Right of military occupation of certain points, to be determined by an understanding between the powers, for keeping open communication between the capital and the sea.

The Chinese Government shall cause to be published during two years in all subprefectures an Imperial decree embodying perpetual prohibition, under pain of death, of membership in any antiforeign society, enumeration of the punishments which shall have been inflicted on the guilty, together with the suspension of all official examinations in the towns where foreigners have been murdered or have been subjected to cruel treatment.

An Imperial decree shall be issued and published everywhere in the Empire declaring that all governors-general, governors, and provincial or local officials shall be responsible for order in their respective jurisdictions, and that whenever fresh antiforeign disturbances or any other treaty infractions occur which are not forthwith suppressed and the guilty persons punished, they, the said officials, shall be immediately removed from office and forever prohibited from holding any office or honors.

The Chinese Government will undertake to negotiate the amendments to the treaties of commerce and navigation considered useful by the powers, and upon other subjects connected with commercial relations, with the object of facilitating them.

The Chinese Government shall undertake to reform the office of foreign affairs, and to modify the court ceremonial relative to the reception of foreign representatives in the manner which the powers shall indicate.

Mr. Hay to Mr. Conger.

[Telegram.]

WASHINGTON, *December 5, 1900.*

Sign joint note as transmitted. President sends cordial congratulations.

HAY.

Mr. Conger to Mr. Hay.

[Telegram.—Partly paraphrased.]

PEKING, *December 16, 1900.*

(Mr. Conger reports that at the last moment, when the British minister believed himself authorized to sign the note and had agreed to it, but awaited formal authorization, his Government objects to the word "irrevocable" as committing the powers to possible ulterior operations, the scope of which is not defined, and Great Britain proposes to add at the end of the conditions the words:

Until the Chinese Government has complied with the above conditions to the satisfaction of the powers the undersigned can hold out no expectation that the occupation of Peking and the province of Chihli by the several forces can be brought to a conclusion.

Mr. Conger thinks the above words, instead of limiting the scope of ulterior operations, these words appear to commit the powers still more extensively. He adds that the German and Russian ministers agree to the addition, that others will probably do so, and asks if he shall accept.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *December 17, 1900.*

(Acknowledging Mr. Conger's telegram of the 16th, Mr. Hay refers to the text of the note telegraphed on December 4 as having been agreed upon, which omitted "irrevocable," and states that Mr. Conger was telegraphed on the 5th to "Sign joint note as transmitted." Mr. Hay does not understand how "irrevocable" comes to be restored without the Department's knowledge. The United States Government objects to it, and has done so from the beginning.

The additional amendment proposed by Great Britain is also objectionable, since the United States can not engage to participate in an indefinite occupation of Peking and Chihli by the general forces. This objection is individual on the part of the United States Government. Mr. Conger is instructed that if he finds general concurrence in the British amendment, he need not stand out against it, but in yielding he should make it clear that it does not bind the United States to continue conjoint military operations. But the Department thinks earnest endeavor should be made for acquiescence in the agreed draft telegraphed December 4.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *December 19, 1900.*

(Mr. Conger replies to Mr. Hay's telegram of the 17th, and states that in his telegram of the 4th he said: "'The majority of them prefer to retain the word 'irrevocable,' and that the Department's answer, as received, reads: 'Sign joint note as *majorities.*'" He accordingly informed his colleagues, who were gratified at concession to their views. As all have notified their governments that "irrevocable" was to be retained, he doubts whether they will again agree to omit it. He thinks "irrevocable" not so objectionable since the death penalty is omitted. Says he will, however, insist on its omission, but asks if he shall yield should final agreement depend upon his so doing.)

Mr. Hay to Mr. Conger.

[Telegram.]

WASHINGTON, *December 19, 1900.*

Insist upon omission of "irrevocable."

HAY.

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *December 20.*

(Mr. Conger acknowledges the receipt of the Department's instructions of December 19, just as the ministers were about to sign the joint note. Found it impossible to secure the omission of the word "irrevocable" that day, and reports that it can only be done, if at all, by opening the whole question for other and objectionable changes. He is confident it will be very prejudicial to the negotiations if he is not permitted to sign now, and thinks it will never be possible to secure unanimity on another note with so few objections as this one has. He awaits the Department's definite instructions.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *December 20, 1900.*

(Mr. Conger reports that the ministers have agreed to and will sign that day the joint note as transmitted December 4, inserting the word "irrevocable" and adding the British amendment, with the definite understanding that the amendment commits no power to any joint military operations. He has felt obliged to at once acquiesce without awaiting Department's reply to his telegram of the 19th or else make his Government responsible for indefinite delay and possible failure of negotiations. He hopes the Department will approve his action.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *December 21.*

(As Mr. Conger has felt obliged to acquiesce in the note retaining the word "irrevocable," and considering his statement that if he does not sign it will probably result in failure of negotiations, Mr. Hay authorizes him to sign after again stating the views of this Government.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *December 22, 1900.*

(Mr. Conger acknowledges the Department's telegram of the 21st, and reports that he had signed the note that day (22d) after again stating the Department's views. He adds that the note will be handed on the 24th to Chinese plenipotentiaries.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *December 24, 1900.*

(Mr. Conger reports that the first formal meeting was had with Prince Ching this date. His and Li's full powers were presented. The joint note was placed in his hands. Li was not present, being slightly indisposed.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *December 29, 1900.*

(Mr. Hay instructs Mr. Conger to keep in mind at this stage the following points, heretofore partly indicated, and to use all his endeavors to comprise them in settlement:

First. Increased intercourse with Chinese Empire under conditions no less beneficial to China than to foreign nations, to the end that peace and order may be perpetuated by building up the prosperity of China.

Second. A lump indemnity, to be kept within as moderate limits as possible, in order to assure China's ability to pay. This point should receive Mr. Conger's most earnest attention. In the distribution of the indemnity the United States to have just pro rata share based on losses and magnitude of interests.

Third. Reorganization of the Chinese foreign office on modern lines. It would be highly desirable to have a minister of foreign affairs who shall speak one European language at least; and who should be in a position to receive his orders from the Emperor.

Fourth. Peking to be on the footing of a treaty port with international concessions, of which legation compound capable of defense shall form part.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *December 30, 1900.*

(Mr. Conger reports that the Chinese plenipotentiaries have notified the ministers that the Emperor decrees acceptance of the demands of the powers as a whole and requests further conference. The plenipotentiaries also ask that military excursions in the interior cease. Mr. Conger thinks they should cease at once.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *December 31, 1900.*

(Mr. Hay states that Mr. Conger's opinion that expeditions should cease is shared by the President, and instructs him to endeavor also to have the forts disarmed instead of destroyed.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *January 1, 1901.*

(Mr. Conger reports that, having accepted our demands, the Chinese Government can forthwith execute all of them except six and eleven of joint note, which will be most difficult to arrange there, and can be settled more speedily and satisfactorily in Europe or America. Asks if the other Governments can not be consulted and such conference arranged for an early date.

Refers to Mr. Rockhill's telegram[1] of the 20th ultimo on the same subject.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *January 3, 1901.*

(Mr. Hay states that the suggestion contained in Mr. Conger's telegram of the 1st instant had been under consideration here for some time. That, China having yielded to joint demands, it is now timely to act upon the suggestion which it is thought may already have been the occasion of a comparison of views among Mr. Conger's colleagues.

The President's proposal to transfer treaty and indemnity negotiations to Washington or Europe has been communicated to the other powers by telegraph.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *January 7, 1901.*

(Mr. Conger reports that the Emperor, acting upon memorial from Viceroy Chang Chih-tung, has, by decree, ordered plenipotentiaries not to formally sign the protocol embodying our demands and the decree accepting them. This is evidently done in the hope of securing better terms. Mr. Conger considers the demands as having been already accepted by a former decree transmitted to the ministers by the Chinese plenipotentiaries and shall so insist on it. Protest against the last decree has been telegraphed by Prince Ching and Earl Li.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *January 8, 1901.*

(Mr. Hay directs Mr. Conger to insist upon signature of protocol, and approves his action respecting opposition to signing.)

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[1] Not printed.

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *January 10, 1901.*

(Mr. Hay states that our suggestion regarding negotiations, indemnity, and commercial treaties, being opposed by Germany and Japan, will not be pressed. We are asking that representatives of other powers be instructed by their Governments to exert utmost efforts to conclude negotiations in Peking.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *January 12, 1901.*

(Mr. Conger reports that orders to sign protocol have been issued to the Chinese plenipotentiaries.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *January 13, 1901.*

(Mr. Conger acknowledges Department's telegram of the 10th instant, and requests instructions concerning indemnities, an approximate estimate of war expenditures, and wishes as to revision of the treaties.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *January 16, 1901.*

(Mr. Conger reports that the protocol has been signed and delivered by the Chinese plenipotentiaries.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *January 23, 1901.*

(Mr. Conger states that representatives of the powers will reply to inquiries of Chinese plenipotentiaries as to withdrawal of troops from Peking, places for military occupation between the capital and the sea, numbers of legation guards, etc.; that these questions must be dependent upon the willingness and promptness of the Chinese Government in executing our demands, which must not only be accepted but executed.

The foreign ministers do not agree upon persons to be specified for death penalty. Under instructions from his Government, the British

minister insists upon death penalty for all mentioned in the decree, adding Tung Fu-hsiang and Yü Hsien. Believing the death penalty impossible for Tuan, Lan, and Tung, the United States, Russian, and Japanese ministers will not demand it.

Mr. Conger is of the opinion that if the British minister joins them the others will do so.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *January 26, 1901.*

(Mr. Hay approves Mr. Conger's attitude on both points as reported in his telegram of the 23d instant.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *January 29, 1901.*

(Mr. Hay directs Mr. Conger to use his utmost endeavor, first, to have a lump sum agreed upon as indemnity by the ministers; second, to have this sum made as reasonable as possible. According to the best information obtainable here the Chinese Government can not possibly pay more than $150,000,000. This will probably necessitate a certain scaling down of the demands of the different powers. Third, Mr. Conger will insist, when the lump sum is agreed upon and granted, that a fair proportionate share of it be allotted to the United States, its equitable distribution to the claimants to be undertaken by the United States Government. Fourth, he will propose, in case of protracted disagreement over the indemnity, that the matter be submitted to arbitration, as provided by The Hague rules.

Our losses and disbursements amount to about $25,000,000.

An instruction will be sent very soon as to treaties.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *January 30, 1901.*

(Mr. Conger reports that the powers will certainly establish permanent legation guards and militarily occupy points between Peking and the sea until final settlement. The scheme submitted by Waldersee, which contemplates an international force of from 10,000 to 12,000 men, is likely to meet general approval. Prestige and interests of the United States demand that they should participate.

Mr. Conger asks what reply he shall make.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *February 5, 1901.*

(Mr. Hay directs Mr. Conger, in reply to his telegram of the 30th ultimo, to inform his colleagues that the American troops will, until further notice, continue to occupy the Temple of Agriculture grounds and inclosure and such other points at Peking, Tientsin, and Taku as are now in their possession or may be hereafter needed for their quarters and supplies or for the protection of American interests. Two troops of cavalry will be designated by the War Department for that purpose and for legation guard at Peking, and two companies of infantry for station at Tientsin and Taku. It is not the intention of this Government to engage in military operations, except in conformity with our original purpose for the defense of the legation and the protection of American interests.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *February 6, 1901.*

(Mr. Conger reports that a conference was held on the 5th instant by the foreign ministers with the Chinese plenipotentiaries, who presented the difficulties in the way of executing Prince Tuan, Duke Lan, and Tung Fu-hsiang. They promise death of Chuang and Yü Hsien, but urge leniency for the others, and beg that they and the court be not placed in too difficult a position. Subsequently the foreign ministers agreed to demand capital sentence, to be immediately commuted to exile, for Tuan and Lan, and death penalty for the others mentioned in the decree, adding Yü Hsien, Chi Hsiu, and Hsü Cheng-yu, the two latter being now prisoners of the Japanese in Peking. Posthumous honors for the members of the Tsungli Yamen, executed last summer, are also to be demanded.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *February 17, 1901.*

(Mr. Conger reports that an agreement has been arrived at by all the ministers to ask their Governments, first: If there is an understanding between the powers as to the manner of fixing amount of war indemnities to be demanded from China. Second: Will this be done by the Governments in accordance with uniform rules agreed upon between them, or will each reserve the right to make up separate demand? Third: Will the killing and wounding, during the siege, of the legation guards be treated differently from the killing or wounding of other soldiers?)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase]

PEKING, *February 17, 1901.*

(Mr. Conger reports the receipt on the 16th instant of an unsatisfactory edict decreeing exile for Tuan and Lan without capital sentence, suicide for Chuang, death for Yü Hsien, degradation and imprisonment for Chao Shu-chiao and Ying Nien, and undetermined punishment for Chi Hsiu and Hsü Cheng-yu.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *February 18, 1901.*

(Mr. Conger refers to Waldersee's order as telegraphed on the 16th instant by Chaffee to the Secretary of War, and reports that he has this day informed his colleagues that, joint negotiations being in progress and military operations limited by terms of joint note to territory now occupied, he thinks no offensive operations should be undertaken by the forces of one or more of the signatory powers unless the Governments of all agree. He restated the position of the United States as not being committed to any further military operations, and stated that those now contemplated might jeopardize negotiations, threaten concert, and disturb harmony. His colleagues replied that the military is under direct control of the respective Governments.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *February 19, 1901.*

(Mr. Conger reports that the ministers have reiterated their demand for punishments reported in his telegram of the 6th instant.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *February 19, 1901.*

(Mr. Hay states that Mr. Conger's action in regard to Waldersee's order is approved by the President, and his telegram of the 18th instant has been communicated to the ambassadors of the United States at foreign courts.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *February 19, 1901.*

(Mr. Hay states that it seems to this Government that the presentation to China of itemized bills by each of the powers, to be paid to

them separately, is wholly impracticable. Should the approximate estimates of the powers amount to a total beyond the ability of China to pay, the sum should be cut down to a reasonable figure, but should always be treated in the negotiations as a lump sum. Mr. Conger is instructed to endeavor to make it as moderate as possible; but when the amount is agreed upon he will insist upon an equitable portion for the United States. Should an agreement for distribution seem impracticable at Peking without great delay, he is to suggest Hague arbitration.

Second. The legation guards killed or wounded during the siege should be on the same footing as civilians killed or wounded for whom indemnity is claimed. This point will be taken care of by each power in distributing its share of the lump indemnity.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *February 19, 1901.*

(Mr. Hay acknowledges Mr. Conger's telegram of the 17th instant in regard to punishments. The decree is not thought by the President to be unsatisfactory. Three of the principal culprits are already dead. By the decree several of high rank are to be put to death; two of the highest rank are to be degraded and exiled, and all the rest severely punished. The President entertains the opinion that, with the fulfillment of these sentences, and considering the material chastisement already inflicted upon the Chinese and their cities, the question of punishment should be regarded by the powers as closed, and other matters should be taken up.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *February 20, 1901.*

(Mr. Conger reports that the ministers are informed by the Chinese plenipotentiaries that all the punishments named in his telegram of February 6 are agreed to by the Emperor.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *February 21, 1901.*

(Mr. Conger acknowledges receipt of Department's telegram of the 19th instant in regard to punishments, and reports that a list of local and provincial officials for whom punishment is to be demanded is now being prepared by the ministers.

Many of these officials were present and aided in or were directly responsible for the fiendish massacre of the missionaries at interior points.

Asks if he is to oppose any further punishments.)

Mr. Hay to Mr. Conger.

[Telegram.—Paraphrase.]

WASHINGTON, *February 23, 1901.*

(Mr. Hay states that it is difficult at this distance to fully appreciate all the circumstances which induce the ministers to insist upon further prosecutions, and that the President, while disinclined to place Mr. Conger in an attitude of opposition to his colleagues, instructs him to make clear to them the President's earnest desire for peace, the cessation of bloodshed, and the resumption of normal relations.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *February 24, 1901.*

(Mr. Conger reports the receipt of a satisfactory edict decreeing the punishments demanded.)

Mr. Conger to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *February 25, 1901.*

(Mr. Conger reports that a satisfactory decree has been issued complying, as far as possible for the present, with article 10 of the demands.)

Mr. Hay to Mr. Rockhill.

[Telegram.]

WASHINGTON, *March 1, 1901.*

The following memorandum, which was handed to the Chinese minister on February 19, is transmitted to you for your information and guidance. It has been communicated to the Governments of the powers that preservation of the territorial integrity of China having been recognized by all the powers now engaged in joint negotiations concerning the injuries recently inflicted upon their ministers and nationals by certain officials of the Chinese Empire, it is evidently advantageous to China to continue the present international understanding upon this subject. It would therefore be unwise and dangerous in the extreme for China to make any arrangement or to consider any proposition of a private nature involving the surrender of territory or financial obligations by convention with any particular power, and the Government of the United States, aiming solely at the preservation of China from the danger indicated and the conservation of the largest and most beneficial relations between the Empire and other countries, in accordance with the principle set forth in its circu-

lar note of July 3, 1900, and in a purely friendly spirit toward the Chinese Empire and all the powers now interested in the negotiations, desires to impress its sense of the impropriety, inexpediency, and even extreme danger to the interests of China of considering any private territorial or financial arrangement, at least without the full knowledge and approval of all the powers now engaged in negotiations.

HAY.

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *March 2, 1901.*

(Mr. Rockhill refers to the Joint Note, article 5, and asks what material is used exclusively in the manufacture of arms and ammunition, and calls attention to the fact that ammunition is not prohibited. * * *)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *March 12, 1901.*

(Mr. Rockhill reports that, under instructions, the Russian minister refuses to take part any further in discussion of punishments. Demand for 10 capital punishments and about 90 minor is insisted upon by all the other foreign representatives. Mr. Rockhill has several times stated the view contained in Department's telegrams of February 19 and 23. While asking no capital punishments, he will, unless otherwise instructed, continue to vote with the majority. Questions of indemnities, prohibition of importation of arms, etc., are under discussion at present. * * *)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *March 15, 1901.*

(Mr. Rockhill reports that rules for estimating all private claims for losses were adopted on the 14th instant by the diplomatic corps, subject to approval by their Governments. The principal points are as follows:

First. Only those claims which result immediately and directly from the antiforeign movement of 1900 are allowable.

Second. Proof of loss must be made to the satisfaction of claimants' diplomatic representative and proved conformably to the laws and usages of his country.

Third. After examining claims made by his nationals, each of the diplomatic representatives shall make an approximate estimate of the total, and the grand total will be asked in a lump sum of China, without any details or explanations. Nothing unusual except allowing claims for objects lost or disappeared during the troubles, which cov-

ers looting of foreigners by foreigners. Interest at 5 per centum on personal claims and 7 per centum on commercial ones is allowable from date of loss when asked on productive property. So far as he knows there is no rule to the prejudice of just American claims. All speculative claims are excluded; those for breach of existing contracts are allowed. Thinks rules, copy of which is forwarded by mail, should at once be approved by the United States. The Russian minister reserves the right to present his claim separately, unless otherwise instructed. With the exception of the Russian minister, the foreign representatives are in favor of putting war and other indemnities to States, including those for legation guards killed and wounded, into the general lump sum demanded. Final agreement on the general subject of the presentation of indemnity is reserved for future consideration. At the proper moment he will urge the views expressed in the Department's telegrams of November 16 and 20, and subsequent ones, which Mr. Conger made known to the diplomatic corps on February 16. France, Russia, and most of the other powers agree in the principle that China is to be credited with treasure, etc., seized by troops during operations.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *March 18, 1901.*

(Mr. Rockhill reports that the suggestion that each power submit lump claim, including governmental, sum total to be presented to China, was voted on by the diplomatic corps this date. This proposition would have enabled him later to urge horizontal reduction to within China's ability to pay. Suggestion was opposed by British, German, and Italian ministers.

Resolution was also passed fixing May 1 as the limit of time for filing private claims. Asks if our expenses for future military occupation will be covered in our claim.)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *March 19, 1901.*

(Mr. Hay states that the materials principally employed in the manufacture of arms and ammunition are reported by the War Department to be as follows:

Brass, copper, tin, niter, lead, charcoal, guncotton, sulphur, alcohol, nitroglycerine, sulphuric acid, nitric acid, picric acid, mercuric fulminate, raw cotton; steel tubes and hoops, forged and oil tempered.

Mr. Hay adds that the prohibition of several of the materials mentioned would, unless destined for arms and ammunition factory, be impossible. The object would seem to be the prevention of the setting up of plants. The exclusion of gun and cartridge machinery would be necessary, but this inhibition is not regarded by the United States as important.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *March 20, 1901.*

(Mr. Rockhill asks Mr. Hay's opinion as to the questions involved in articles 8 and 9 of the Joint Note (Dismantling of forts and military occupation of the road to the sea). Should these questions be discussed by the military representatives of powers having troops in China alone, or also by those which may take part in the application of military measures provided for by said articles?)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *March 21, 1901.*

(Mr. Hay directs Mr. Rockhill to endeavor, regardless of the process by which the sum of the indemnity is reached, first, to have the total kept within the limit of £40,000,000, and, secondly, that the sum be demanded in a lump of China without either the grounds of the claims or the proportion claimed by each power being itemized, leaving the proportionate distribution to be settled among the powers.

Hague arbitration is to be suggested if such settlement is impossible at Peking.

All claims of every description are covered by the sum we have mentioned, which is subject to equitable proportionate scaling.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *March 22, 1901.*

(Mr. Rockhill reports that an agreement has been reached by the diplomatic corps, with the exception of the Russian minister, to demand capital punishment for four persons instead of ten, maintaining the list of minor punishments. Until the question of sending joint note or identical notes has been settled by the governments, no action can be taken. Unless instructed to the contrary, Mr. Rockhill will continue to vote for joint note. British minister states that he reserves the right to demand original lists unless joint note is agreed to.)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *March 22, 1901.*

(Mr. Hay states, in regard to Articles VIII and IX of the joint note, that we as signatories should, through our military representatives, join in determining the measures as to which the right to subsequently participate has been reserved by the United States.)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *March 23, 1901.*

(Mr. Hay, replying to Mr. Rockhill's telegram of the 22d instant, states that in view of his knowledge of all the circumstances he must use his discretion in regard to signing joint note. The President does not desire to delay action or to risk a failure of the negotiations by giving more definite instructions, but Mr. Rockhill will keep in view and let it be understood by his colleagues that it is the earnest desire of the President that the effusion of blood should cease.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *April 6, 1901.*

(Mr. Rockhill reports that Germany will demand of China, until May 1, £12,000,000. Each month thereafter 7,800,000 marks. If in the autumn time-expired men have to be replaced, 22,000,000 marks more. If indemnity is not paid July 1, 600,000 marks per month interest. German private claims, 7,700,000 taels. No other claims have as yet been stated except Spain and Holland, amounting together to about 1,000,000 taels, and our losses and disbursements. * * * Mr. Rockhill greatly fears that scaling down to £40,000,000 of sum to be demanded is quite impossible. Enormous claim from Russia is apprehended. He has asked general proposition of United States as to reasonable lump sum to be passed upon by the powers.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *April 8, 1901.*

(Mr. Rockhill reports that the Austrian claim for war expenses to May 1 is stated at 13,200,000 crowns; 520,000 crowns additional for each month thereafter. Private claims about 21,000 taels.

He is unofficially informed that Russia will demand, inclusive of railroad claims, £17,500,000. Japan will ask 45,000,000 yen. France will ask 280,000,000 francs. Belgium, 30,000,000 francs.

He will, until otherwise instructed, insist upon scaling, but does not believe it will be agreed to.)

Mr. Hay to Mr. Rockhill.

[Telegram.]

WASHINGTON, *April 8, 1901.*

The President is anxious lest the aggregate of the claims of the different powers should exceed the ability of China to pay. You are therefore instructed once more to urge upon your colleagues the

desirability of agreeing upon a lump sum not to exceed £40,000,000, to be distributed equitably among the powers, and if the agreement is impossible resort to Hague arbitration. This sum to be paid in money and not in territory. This Government is ready to scale its demand in any just proportion which may be accepted by other powers.

HAY.

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *April 11, 1901.*

(Mr. Hay states that the essential object of the revision of consular treaties is to favor Chinese financial stability and promote ability to buy in any market and to exchange native products, wherever produced, on equal terms with all nations. Inequalities of likin should be removed, and fixed rates for all of China could be scheduled according to importance and value of imports—some higher than now, and others lower, as they can safely stand. Trade with the interior is made speculative and uncertain by the present irregular likin. Customs duties should be scheduled anew. Besides discriminating against cheaper necessaries, the present uniform rate yields inadequate revenue. Five to 15 per cent, according to the character of goods, would equalize trade without partiality or burden, and, as trade penetrates interior, would yield steadily increasing revenue. Application to the whole of China of the open door is required to do this. Equal opportunity should be had by all trading nations to sell throughout the Empire. Lower duties should be attached to imports tending to develop Chinese productiveness. Agricultural implements and simpler manufacturing machinery should be especially favored.

The Chinese can gain prosperity so as to buy what they do not produce only by developing native productions. Special trade favors to any power on the ground of reciprocity, territories, occupation, or spheres of influence should be guarded against by stringent favored-nation clause now and for the future. It is necessary to secure increased access to interior markets. Forming of Chinese revenues should be restricted if not wholly discontinued, and an honest and uniform Imperial fiscal system be substituted. Advisory representation should be had by the principal commercial powers in the central customs administration. Allow reasonable tonnage tax on foreign cargo vessels, leaving coasting trade to China, with proviso that no additional duties fall on transshipped foreign goods or on domestic products bonded or certified for export. Identical but separate commercial treaties with each power, those not now negotiating to be permitted to conclude similar treaties.

Instructs Mr. Rockhill to sound his colleagues on these points, and advises that full statements are to-day mailed to him.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *April 13, 1901.*

(Mr. Rockhill reports that to the end of March the war claim of Great Britain is £4,800,000; monthly expenses thereafter, £120,000.

Should occupation be continued until the end of the year, £1,600,000 additional.

Hopes to get vote next Tuesday on our lump-sum proposition.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *April 18, 1901.*

(Mr. Rockhill asks to be instructed as soon as possible suggestions of United States Government as to payment of indemnity by China. Whether by an issue of bonds, by installments from its revenues, or by loan. Asks if guaranty of loan or bonds by the powers are acceptable.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *April 23, 1901.*

(Mr. Rockhill reports that the proposal for a lump indemnity of £40,000,000 was to-day discussed by the diplomatic corps, none of members have instructions to make definite reply. None are ready to accept that sum, though generally favorable to the principle that it should be within the power of China to pay. The British minister stated that the sum should be reasonable and payment not create financial embarrassment. The Japanese minister thought that consideration may have to be given to the necessity of reduction of claims. The Russian minister agreed that the principal resources of the Empire should be taken into account. The German minister thinks that if China can pay all the claims generosity is unnecessary. Report of commission on the financial resources is awaited before any further discussion. It is generally believed that our limit is too low. Report will be submitted soon, when he will bring up the proposal again.

The Italian minister stated war claim to May 1 to be 70,000,000 francs; each month thereafter, 2,500,000 francs. After July 1, interest of 200,000 francs. All other claims amount to about 21,500,000 francs. The Russian minister stated war claim to May 15 to be 170,000,000 rubles, including railroad destruction; 2,000,000 rubles monthly war expenses thereafter. Private claims, from 6,000,000 to 8,000,000 rubles.)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *April 24, 1901.*

(Mr. Hay states with reference to indemnity that we should be willing to accept bonds. There are inconveniences attending joint guaranty.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphase.]

PEKING, *April 26, 1901.*

(Mr. Rockhill reports that the British Government suggests through their minister the scaling of the indemnity to £50,000,000, China to make loan in open market sufficient to pay half of that amount, with customs, foreign and native, as securities, arrangement to be made with the powers as to mode and time of payment of the other half.

Great Britain wishes to have closed at as early a date as possible claims for military occupation, which are about £1,500,000 monthly. Indemnity now reaches £67,000,000.)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *April 29, 1901.*

(Mr. Hay states that he will be absent from Washington for a month, but can always be reached by telegraph.

Much is necessarily left to Mr. Rockhill's discretion; he is instructed to favor moderation both in amount and terms of payment. This Government thinks increased privileges and administrative reforms are more desirable than a large cash indemnity.

All that has been done by Mr. Rockhill is cordially approved.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *May 7, 1901.*

(Mr. Rockhill reports that the diplomatic corps agreed to inform the Chinese plenipotentiaries that the sum total of the disbursements of the powers amount to about £67,500,000, including military expenses and private claims down to July 1; that this amount will considerably increase after that date if military occupation is prolonged. They will ask China to formally admit liability and state what financial measures it proposes to take to pay debt.

Mr. Rockhill agreed to the note with the formal understanding that it was not in any sense a demand, nor did it represent the final figure of indemnity to be demanded, but was merely a means of eliciting formal reply of China as to limit of ability to pay and measures it proposes to take.

The French and Russian ministers are instructed to urge loan with joint guaranty; Austrian and Japanese ministers are favorable to loan with guaranty; British and German ministers are noncommital; the others are without instructions, but will probably favor it.

Mr. Rockhill held out little probability of his Government accepting, stating that he saw grave difficulties in the way of joint guaranty; he thinks it should be opposed, unless, perhaps, we got a reduction of

indemnity to about £40,000,000, with compensating commercial privileges. China will, it is estimated, have to pay 23 per cent commissions and 7 per cent interest for loan without guaranty; with guaranty, 7 per cent commission and 4 per cent interest.

Requests full instructions.)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *May 10, 1901.*

(Mr. Hay states that the aggregate sum mentioned appears exorbitant, and repeats that this Government is willing to reduce by one-half its already reasonable claim if the other powers will make similar reduction. There are grave objections to joint guaranty, but the President would agree to it, subject to the action of Congress, rather than subject China to the necessity of paying so enormous a commission. Mr. Rockhill's suggestion in regard to reducing the total amount, with compensating commercial advantages, is strongly approved.

The President wishes Mr. Rockhill to propose that each power accept bonds of China without international guaranty. Such bonds would be accepted by this Government at 3 per cent, and without commission, for its share of indemnity. * * *)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *May 12, 1901.*

(Mr. Rockhill reports that reply of China to the note referred to in his telegram of the 7th instant has been received, proposing yearly payments of 15,000,000 taels, of which 10,000,000 from the gabelle, 3,000,000 from native customs, and 2,000,000 from the likin; maritime customs to see that the monthly payments are regularly made into authorized banks, which would transmit proportion to each power; payments to commence July, 1902.

China begs the powers to reduce the amount and to agree to increase by one-third the present tariff; refers to extreme financial embarrassments which must result.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *May 20, 1901.*

(Mr. Rockhill reports views of the British Government as communicated to its representative at Peking in regard to indemnity. It is absolutely opposed to joint guaranty advocated and pressed by Russia and France. The reduction to 200,000,000 taels, proposed by the United States, is considered by it too generous, and it suggests that it be fixed

at 400,000,000 taels, by which all claims, up to July 1, are to be covered; it would allow no claim for military occupations after that date; the powers would receive from China bonds at par, bearing 4 per cent interest, and a sinking fund at a rate of one-half of 1 per cent per annum would be provided. Provisions for payment would be made from an increase of 5 per cent effective on foreign imports, and the proceeds of native customs, and the tax on salt. China would issue three-fourths of the bonds at first, and the remainder after improvement of her finances.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *May 22, 1901.*

(Mr. Rockhill reports that the proposal of the United States regarding the scaling of the indemnity has been practically declined of by the action of the foreign representatives, who have, by a vote, decided that the amount of expenses actually incurred by the powers, as well as the claims of private persons, shall be demanded of China as an indemnity. The question whether it would be advisable to limit the amount to 450,000,000 taels, by which all claims up to July 1 are covered, was reserved, thus making it possible that all subsequent claims for military occupation will be stopped. An increase of import duties to 5 per cent, effective and without compensating commercial advantages, for the purpose of supplying funds for the indemnity, was agreed to by all the plenipotentiaries except Mr. Rockhill, who insisted for compensating commercial advantages.)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *May 22, 1901.*

(Mr. Hay, in reply to Mr. Rockhill's telegram of the 20th, emphasizes the objection of the United States to joint guarantee, and while directing that the reduction to forty millions proposed by the United States be insisted on as long as practicable, authorizes the acceptance of the proposition of 400,000,000 taels if nothing better can be obtained. He also authorizes Mr. Rockhill to agree to any reasonable modification of the proposition of the United States that each power will accept the bonds of China at par and at an interest of 3 per cent, but only after urging it and provided the modification shall close the matter.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *May 25, 1901.*

(Mr. Rockhill reports that all the powers will without a doubt soon agree to limit the idemnity to 450,000,000 taels, and that Germany, Great Britain, and Italy have already done so officially. Expresses the

opinion that a transfer of the question to The Hague would have no other use than to cause delay, and asks whether he should make a proposition to so transfer it or agree to the amount as limited. Inquires whether the United States would agree to a proposition of the Japanese to the British Government tending to the abolition of all likin dues on imports to be compensated by an advance to 10 per cent of Chinese tariff on imports. Suggests that other compensations might be obtained in addition.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *May 29, 1901.*

(Mr. Rockhill reports, on reliable authority, that the edict agreeing to 450,000,000 taels as the amount of indemnity and 4 per cent as the rate of interest was received in Peking on May 28.)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *May 28, 1901.*

(Mr. Hay instructs Mr. Rockhill to urge arbitration by The Hague tribunal or a reduction of the amount of indemnity, which is considered excessive, and, it is feared, will prove disastrous to China, if there remains the least possibility of the suggestion of the United States being considered; but if there is no hope of obtaining this the United States have no wish to cause indefinite delay. Gives his approval of the Japanese proposition of an increase of duties on imports, with abolishment of likin dues or other compensations.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *June 1, 1901.*

(Mr. Rockhill reports a rapid reduction of the military forces of the powers in consequence of the acceptance by the Emperor of China of the amount of the indemnity at 450,000,000 taels and the rate of interest at 4 per cent. The German forces will be reduced to one brigade, and Count Waldersee has received orders to return immediately to Germany).

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *June 8, 1901.*

(Mr. Rockhill reports that he has made formal proposal to refer the whole question of indemnity to the tribunal of arbitration at The Hague, by reason of the indefinite delay in coming to an agreement.)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *June 8, 1901.*

(Mr. Hay approves Mr. Rockhill's action as reported in his telegram of the 8th. The Governments of France, Great Britain, and Russia have been informed, in reply to inquiries, that collective guaranty is strongly objected to by the United States, and the willingness of this Government to accept Chinese bonds without such guaranty has again been expressed to them. Any reasonable arrangement by which the negotiations shall be brought to an early close will be concurred in.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *June 11, 1901.*

(Mr. Rockhill reports that the following agreement has been reached by the diplomatic corps in regard to the indemnity: The revenues from native customs, the available balance of maritime customs and salt tax, without any foreign control over the service as it exists, and an increase of tariff duties to 5 per cent effective ad valorem will be reserved for the payment of interests. He asks approval of his action in agreeing to the advance of duties, which he did, because nothing better could be obtained on the following conditions, that the tariff shall be revised and specific duties substituted for ad valorem duties; that China will participate financially in the improvement of water approaches of Shanghai and Tientsin, and that the regulations on inland navigation shall be revised so that no class of shipping shall be excluded. The 5 per cent duty has been agreed to by all the powers without any commercial compensation, and any partial abolition of likin dues is opposed by Great Britain.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *June 11, 1901.*

(Mr. Rockhill asks whether he may agree to the increase of duties to 5 per cent effective with the first two compensations mentioned in his telegram of this date, in view of the attitude of the Russian minister, who has informed his colleagues that he will not ask his Government for the revision of the inland navigation regulations.)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *June 12, 1901.*

(Mr. Hay approves suggestions in Mr. Rockhill's telegrams of the 11th instant and directs to do what he can for speedy conclusion; and, if practicable to obtain them, to agree to 5 per cent effective with compensations mentioned.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *June 15, 1901.*

(Mr. Rockhill reports that 450,000,000 taels and 4 per cent bonds at par may be considered as the indemnity agreed upon. Japan can only borrow at 5 per cent, and will consequently lose heavily at that rate. She submits the difficulty of her position. Asks if Mr. Hay can suggest a way of securing her against loss. The same question has been telegraphed by the British and German ministers to their Governments. Prospects for early termination of negotiations are favorable.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *June 19, 1901.*

(Mr. Rockhill reports that the agreement reported in his telegram of the 11th instant is imperiled by the British refusal to accept the proposal of France and Russia that, in event of irregularity in making payments by China, the eventual raising of the tariff to 10 per cent to supply deficiency be discussed; all the powers to make all reservations they choose to whenever the discussion begins. Mr. Rockhill hopes that British opposition can be overcome. None of the ministers there can see danger in the proposal, which affords satisfaction to Russia and France for relinquishing guaranteed loan in favor of bonds. * * *)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *June 21, 1901.*

(Mr. Hay states that this Government is opposed to raising the revenue above 5 per cent effective, but directs Mr. Rockhill to refrain from opposing proposition of eventual discussion if it will aid in bringing negotiations to a close.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *July 3, 1901.*

(Mr. Rockhill reports that as yet no agreement has been reached formally accepting 450,000,000 taels and 4 per cent bonds at par. Russia accepts 4 per cent bonds at par only on the condition that no power asks for special advantage, as Japan does.

Great Britain still refuses Russian proposal concerning eventual raising of tariff. Difficulties of minor importance concerning payment of indemnity arising in each meeting. No progress has been made since the meeting of the 19th ultimo. He has since the 8th of June urged reference to The Hague of the whole indemnity question, or such part as the powers agree on, but all the ministers, excepting the British, are without instructions. * * *)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *July 16, 1901.*

(Mr. Rockhill reports that he is informed by the Japanese minister that he will not insist on additional allowance, but will reserve the question for the future. British objection to Russian proposal, which was reported in Mr. Rockhill's telegram of June 19, still blocks the way to a final settlement, which, were the objection removed, could be reached in a fortnight. As a compromise Great Britain now offers to agree to consider with the powers what additional revenues shall be pledged by China in case those assigned should prove insufficient. * * *)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *July 16, 1901.*

(Mr. Hay acknowledges Mr. Rockhill's telegram of the 16th instant and directs him to take whatever course seems to assist in bringing the negotiations to a conclusion.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *July 18, 1901.*

(Mr. Rockhill reports that the diplomatic corps at a meeting this date again voted on Russian proposal regarding the eventual raising of the tariff. British minister submitted compromise, as reported by telegraph on the 16th instant, but no representative opposed Russian proposal. Hopes this will help break deadlock. Four hundred and fifty million taels indemnity and 4 per cent interest formally accepted, Japan waiving any preferential treatment. A plan of amortization also agreed upon. Russian minister inquires whether United States accepts scheme prohibition of arms (inclosure to Mr. Rockhill's dispatch No. 67). He has voted in favor of two years' limit, but has expressed no opinion on mode of enforcement. Formal surrender of Peking to Chinese authorities is to take place on August 14.

Mr. Rockhill will remain until August 15 to endeavor to finish work.)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *July 20, 1901.*

(Mr. Hay thinks the prohibition of the importation of firearms of doubtful advantage, but Mr. Rockhill can assent if a practicable scheme for a reasonable renewal term is generally supported by the powers, sub-

ject, so far as this Government is concerned, to the necessity of asking express legislation of Congress in case the existing authority of law does not suffice for the execution of our share of the proposed arrangement.

Mr. Hay is gratified that Mr. Rockhill will remain until August 15.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *July 22, 1901.*

(Mr. Rockhill asks if this Government wishes payments to it on account of the indemnity to be made in United States gold or sterling. Operation sinking fund in plan adopted begins in 1902; capital and interest to be paid off in 1940.)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *July 24, 1901.*

(Mr. Hay states that payments in United States gold or in sterling at the rate of four eighty-six sixty-five the pound will be equally satisfactory.

Uniformity and least burden to China should be taken into consideration.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *July 26, 1901.*

(Mr. Rockhill reports that Russia will not at the present moment insist upon considering the eventual raising of the import tariff beyond 5 per cent as reserve guaranty.

In case revenues are insufficient for payments on indemnity, the powers to examine and fix revenues necessary to supply deficiency.

Import dues shall not be excluded from examination.

The British minister is quite satisfied.

This settles the whole of the question of financial measures.

The 450,000,000 taels to be converted into gold at rate of April 1, this year. Increase of import entails abolishment of free list, excepting cereals, but with compensations asked for. Refers to his telegrams of June 11.

All other points satisfactorily settled. A final protocol signed by all parties, probably in a fortnight, will embody the results.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *July 27, 1901.*

(Mr. Rockhill reports that the application of the new tariff immediately after signing the protocol, only exempting goods in transit, is favored by a majority of the diplomatic corps. In view of the abolition of the free list, he has raised an objection, suggesting a delay of three months.

Instructions requested.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *July 28, 1901.*

(Mr. Rockhill reports that, beginning July 1, 1901, interest on indemnity will be payable semiannually. China will be given three years to pay first installment. Regular payments and sinking fund will begin January, 1902. Payments to be made to financial committee at Shanghai. Refers to his dispatch No. 95.)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *July 28, 1901.*

(Mr. Hay states that commerce would be embarrassed by derangement of contracts actually in course of fulfillment by application of duties to articles heretofore free. It is most desirable to afford timely notice, or to at least exempt cargoes afloat at the time duties are enacted.

Extends congratulations on near prospects of agreement on all points under discussion.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *August 4, 1901.*

(Mr. Rockhill reports that the international commission for the conversion of the present Chinese tariff into specific rate will begin very soon at Shanghai. Asks if an expert (who should start immediately) will be detailed by the Secretary of the Treasury to represent the United States in it.)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *August 5, 1901.*

(Mr. Hay instructs Mr. Rockhill to endeavor to have flour retained on the free list, if possible.)

Mr. Rockhill to the United States consul at Nanking.

[Telegram.]

PEKING, *August 6, 1901.*

See viceroy immediately. Urge him, at my request, to consider favorably proposed Whangpu conservancy scheme which the British, German, and Japanese consuls are to submit to him.

His prompt acceptance will bring negotiations here to a close. The work on the Whangpu is greatly needed in the interest of China, whose sovereign rights are fully guaranteed in scheme.

Reply by telegraph.

ROCKHILL.

Mr. Martin, consul at Nanking, to Mr. Rockhill.

[Telegram.]

NANKING, *August 7, 1901.*

Sovereign rights of China being guaranteed, Viceroy willing Whangpu conservation be carried out and expects inspector-general of customs to represent China.

MARTIN.

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *August 8, 1901.*

(Mr. Rockhill reports delay to signing of the final protocol caused by objections raised by British Government against the international commission for the revision of tariff, which was unanimously accepted June 11, and the Chinese Government so informed; also by wanting to insert in the protocol a clause highly objectionable to several of the powers.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *August 10, 1901.*

(Mr. Rockhill reports that two months after signing of final protocol a tariff of 5 per cent ad valorem effective will be put in force, excepting goods shipped within ten days after signing, and will continue until the commission has effected conversion to specific rates. Free list, which will include flour, will shortly be settled.

The British Government proposes to return to the financial committee at Shanghai, to be disposed of as the powers decide, any balance of its share of the indemnity in excess of its adjusted claim.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *August 12, 1901.*

(Mr. Rockhill reports formal agreement upon draft of final protocol. Rice, foreign cereals and flour, gold and silver bullion and coin are included in the free list.)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *August 14, 1901.*

(Mr. Hay states that this Government is prepared to send expert representatives on tariff revision committee; that we have no information as to date of signing protocol. Asks when it will be signed, and when should our expert go.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *August 16, 1901.*

(Mr. Rockhill acknowledges Mr. Hay's telegram of the 14th instant, and reports that the British minister states his Government will communicate concerning the tariff revision directly with the Government of the United States.

The protocol will, in all likelihood, be signed within the next few days. He will remain for that purpose.)

Mr. Hay to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *August 22, 1901.*

(Mr. Hay states that the President would be glad to have Mr. Rockhill remain at Peking until the protocol has been signed if he can do so without inconvenience.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *August 25, 1901.*

(Mr. Rockhill asks if this Government agrees to British proposal concerning surplus indemnity, referred to in his telegram of the 10th instant.

The Chinese plenipotentiaries are still waiting authorization of Chinese Government to sign protocol.

Mr. Rockhill will remain at Peking until the matter is settled.

Replying to Mr. Hay's telegram[1] to Mr. Conger, composition of Commission for the revision of the tariff and place of meeting not yet settled. * * *)

Mr. Adee to Mr. Rockhill.

[Telegram.—Paraphrase.]

WASHINGTON, *September 3, 1901.*

(Mr. Adee states that a telegram from viceroy Nanking relative to Woosung bar has been communicated to him by the minister from China. Says a wholly foreign bureau objectionable; invasion sover eignty of China, and stating the foreign ministers say unless Woosung demands complied with they will not agree to increased tariff.

Mr. Adee states that prompt general settlement should not be interfered with by a local demand of this character, and directs Mr. Rockhill to cable situation briefly.)

Mr. Rockhill to the Secretary of State.

[Telegram.—Paraphrase.]

PEKING, *September 3, 1901.*

(Mr. Rockhill reports that Imperial command to sign the protocol was received on the 28th ultimo by the Chinese plenipotentiaries. * * *

Chinese say that they are waiting for edicts on punishments and examinations.)

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *September 4, 1901.*

(Mr. Rockhill, replying to Mr. Adee's telegram of the 3d instant, reports that the Chinese Government, by a note of August 30, formally accepted plan for improvement of the navigation of Woosung River; that the board is not wholly foreign; in it are the Shanghai taotai, the commissioner of customs, and one representative of Chinese steam shipping.

No foreign officials will be members. Viceroy Nanking will be consulted; accounts submitted to him, and his consent asked for some measures. There is absolutely no invasion of the sovereignty of China. China is enabled by the plan to carry out most important measures facilitating trade under most favorable conditions, foreign trade and Shanghai community paying half the expenses. Most of the objections of the Nanking viceroy, which have been fully considered, have been found to be without foundation.)

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[1] Not printed.

Mr. Rockhill to Mr. Hay.

[Telegram.—Paraphrase.]

PEKING, *September 6, 1901.*

(Mr. Rockhill reports the arrival of the edicts. Signature of the protocol will take place on the morning of the 7th instant. Peking will be evacuated by the 17th, and expeditionary forces are to evacuate the province by the 22d instant.)

Mr. Conger to Mr. Hay.

[Telegram.]

PEKING, *September 10, 1901.*

Protocol signed 7th. Rockhill left 8th.

CONGER.

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